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RES GESTAE

1982

FACULTY OF LAW

UNIVERSITY OF WESTERN ONTARIO
LONDON, ONTARIO

Editor: T. Sher Singh

The University of Western Ontario

Office of the Dean
Faculty of Law
London, Canada
N6A 3K7

I am delighted to welcome this first edition of Res Gestae, the University of Western Ontario Faculty of Law Yearbook. Production of this Yearbook is yet another indication of the initiative and enthusiasm of our students; the editor, his colleagues, and the student body in general are to be congratulated.

We all take much pride in our Law Faculty. We are proud of the fine teaching and important research at the School. We are proud of the reputation earned by the fruits of that teaching and research.

This Yearbook is one more demonstration of the affection and respect we all have for our Law Faculty.

Philip Slayton

Philip Slayton

Dean Philip Slayton

Scales of Justice
Gordon Smith, 1962

1705 MANSFIELD
LORD CHIEF JUSTICE
DUFF 1935
CHIEF JUSTICE
SUPREME COURT OF CANADA
MARSHALL

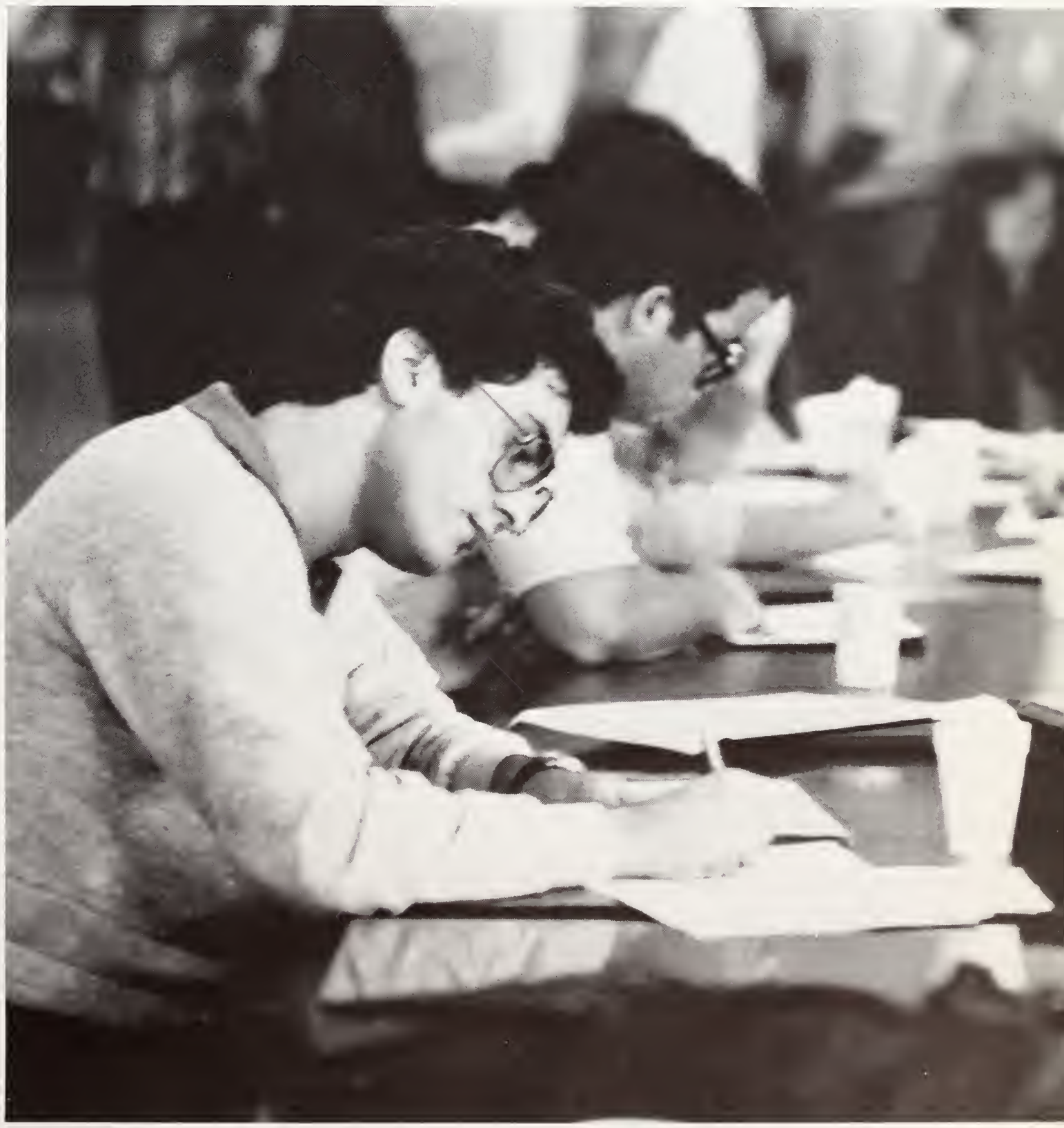
DALHOUSIE UNIVERSITY

Day One

It is Monday morning, and when I walk into the central building I can feel my stomach clench. For the next five days I will assume that I am somewhat less intelligent than anyone around me. At most moments I'll suspect that the privilege I enjoy was conferred as some kind of peculiar hoax. I will be certain that no matter what I do, I will not do it well enough; and when I fail, I know that I will burn with shame. By Friday my nerves will be so brittle from sleeplessness and pressure and intellectual fatigue that I will not be certain I can make it through the day. After years off, I have begun to smoke cigarettes again; lately, I seem to be drinking a little every night. I do not have the time to read a novel or a magazine, and I am so far removed from the news of world events that I often feel as if I've fallen off the dark side of the planet. I am distracted at most times and have difficulty keeping up a conversation, even with my wife. At random instants, I am likely to be stricken with acute feelings of panic, depression, indefinite need, and the pep talks and irony I practice on myself only seem to make it worse.
I am a law student in my first year at the law . . .

Scott Turow, **One L**

P-ss-t . . . Get out while you can!



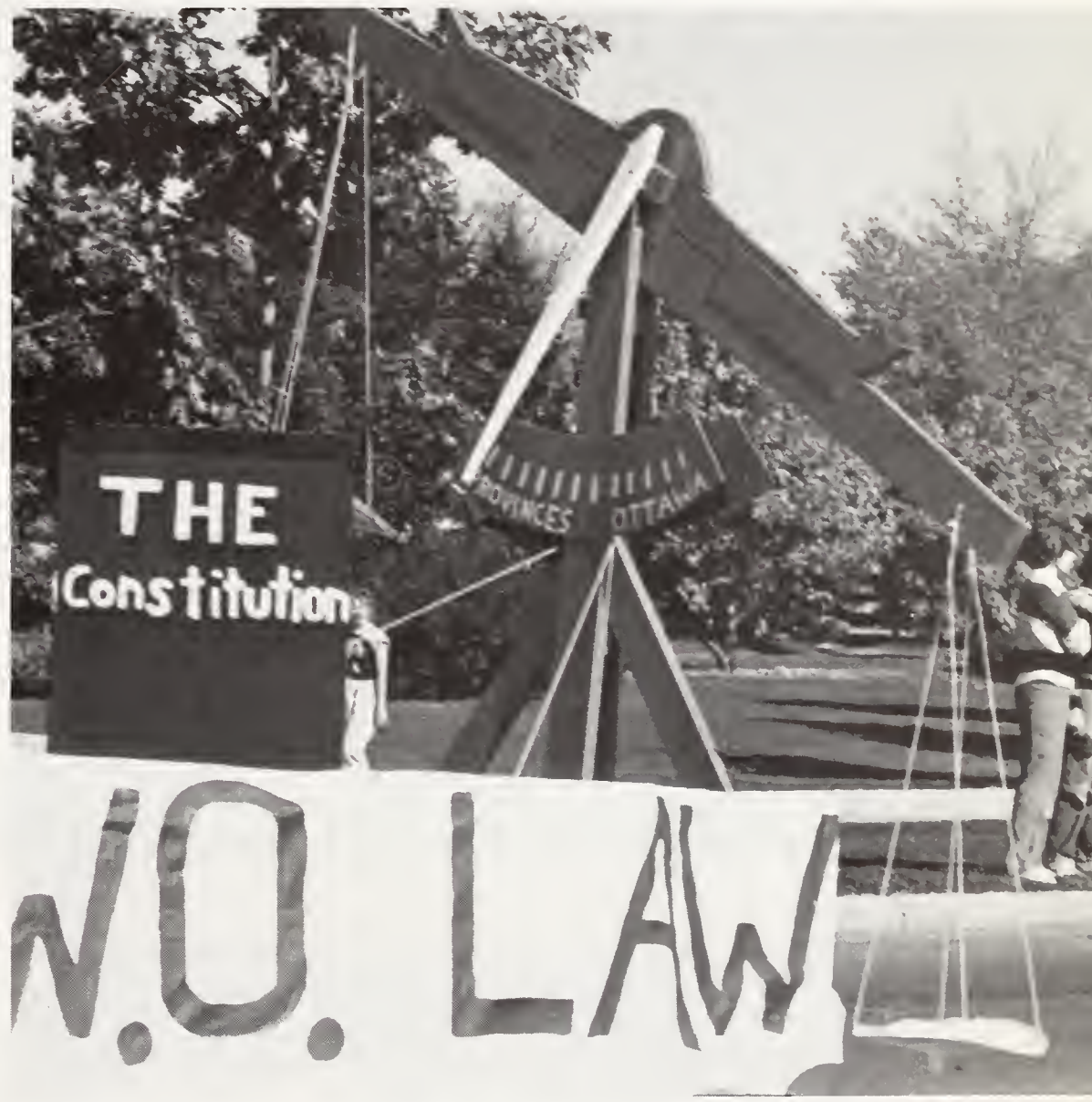
Mr. Justice **Antonio Lamer** of the Supreme Court of Canada addressing students during Orientation Week.

LAW REPORT
KING'S BENCH DIVISION
1915
1
2

Homecoming 1981

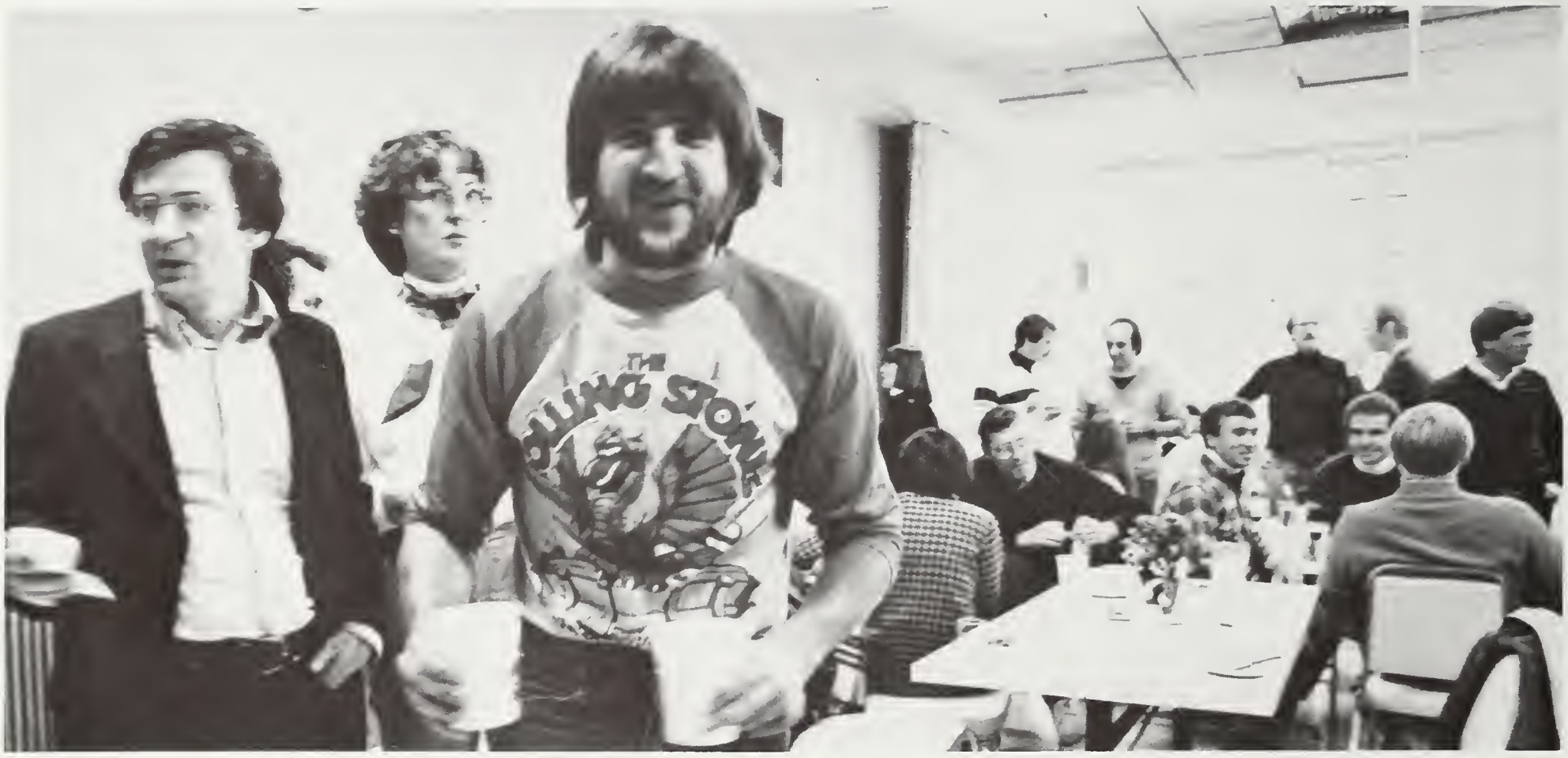
Bringing - er - PUSHING the Constitution home

Law float

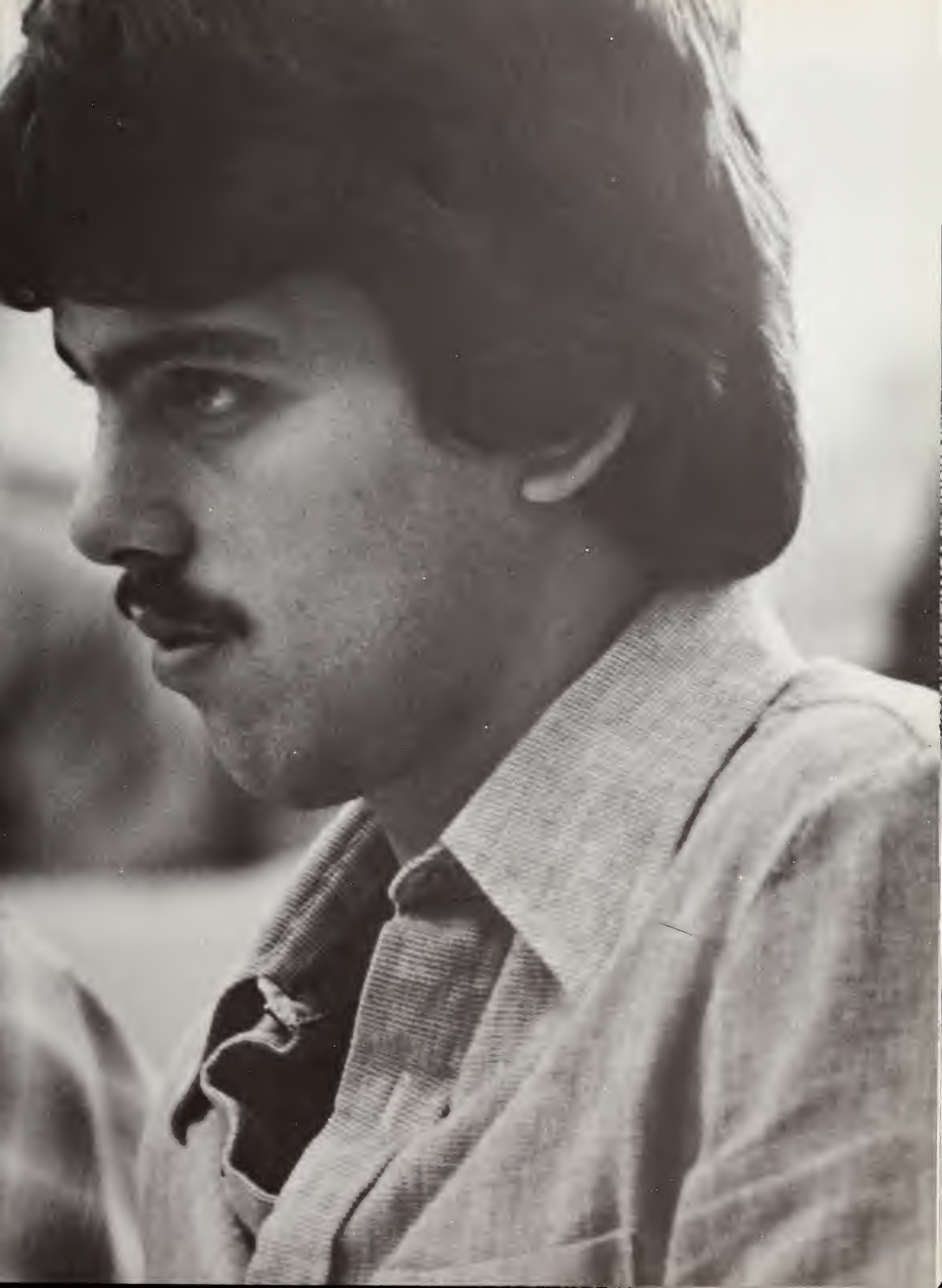


in the UWO Homecoming Parade

Explaining Entrenchment to the populace

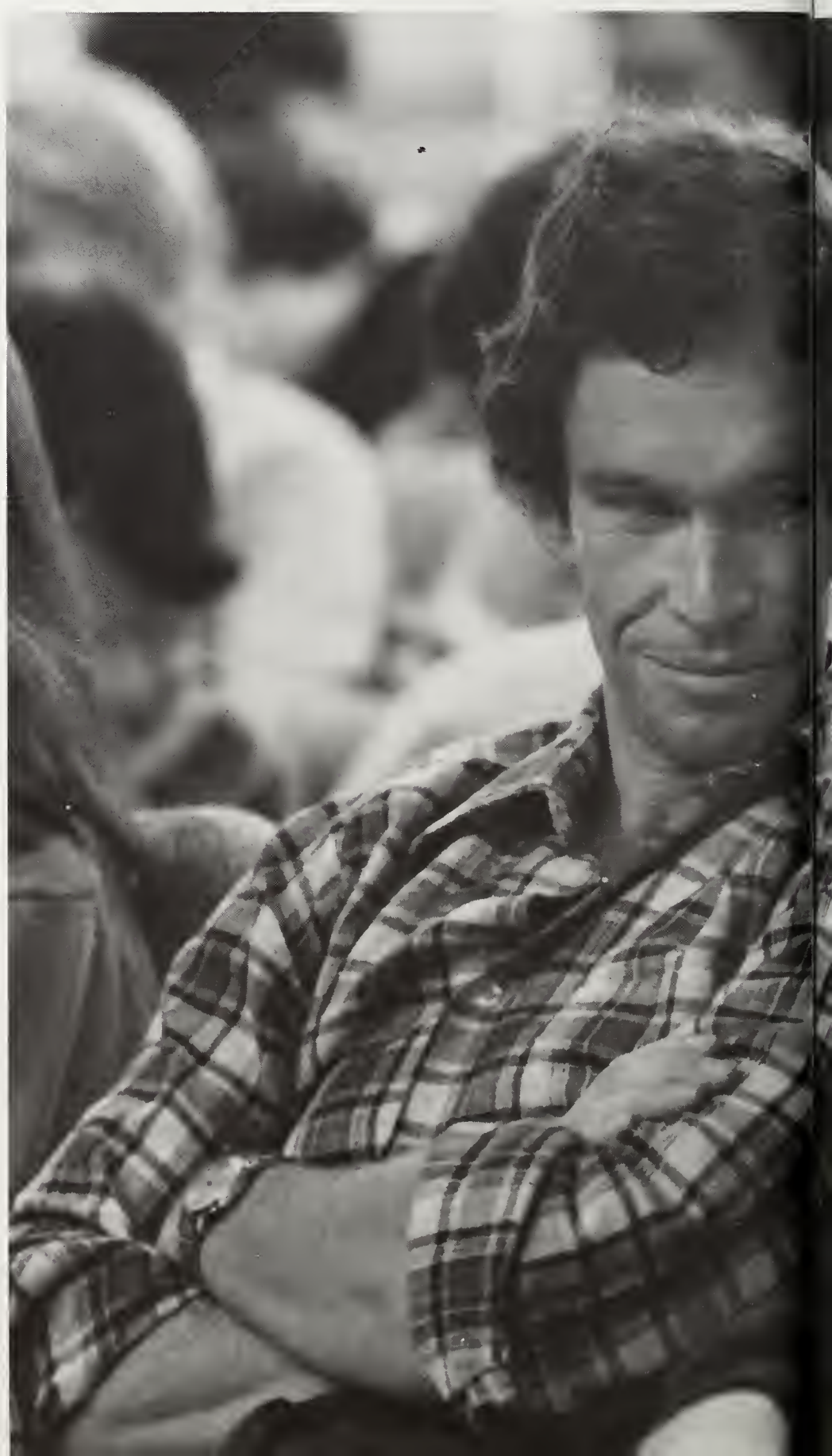


I bought the last one;
now you buy the next one.



Practicing

And then, on my honeymoon . . .



The Boys from Markham: **Neil McCormick**'s clones

Excerpts from a Garden

The basic concept is the fee
Found in variations three:
Base or simple or fee tail
(General, special, usually male);
But forget not that rarity:
Tenant in tail after possibility.

Creation's next on our agenda
Pray heed the Act -- do not offend her!
"X and his heirs" is all that we
Now need to mount a simple fee
Alas! it was not always so
Behind the Act we oft must go.

But soft! We cannot yet proceed
Of more distinctions we have need
That is to say, we simply can't
Go on not knowing Will and Grant.
In this these two are like to differ:
Rules for Grants are oft much stiffer.

The Wills Act, Eighteen-thirty-four,
Has remedied the common law;
The presumption of a life estate
Switched to fee simple from that date.
Testators then could rest elated
Their Wills no more to be frustrated.

But as for Grants, the rule was strict:
Only "in fee simple" did the trick.
Not till eighteen-eighty one
Was reversed the presumption
Which words of limitation obviated
And life estates to fees inflated.
As to fee tails, look first we must
At De Donis Conditionalibus
But having looked, let's pass ahead
(For Latin I have nought but dread).

The rules on primogeniture
Relate to feudal age tenure
All fell to th'eldest in male line
(Saving borough-english or gavelkind)
But failing sons -- extraordinary!
Daughters shared -- coparcenary!
But e'er since May of fifty-six
Estates tail have been eclipsed.
No more their noble heads may rise
To meet conveyancers' frightened eyes
Three provinces have not yet bestirred:
P.E.I., Manitoba -- I forget the third.

1 Assume the law of Ontario to apply
expressly stated.
2 (1671) 2 Wms. Saunders 380.

Law Student's
of Verse

by Philip Girard

On to base fees -- I must confess
For these I have scant interest.
A hybird type twixt simple and tail
Ending a sudden should vendor's kin fail
But descending like simple --
How can this be?
I leave you to Wade and dear old Megarry.

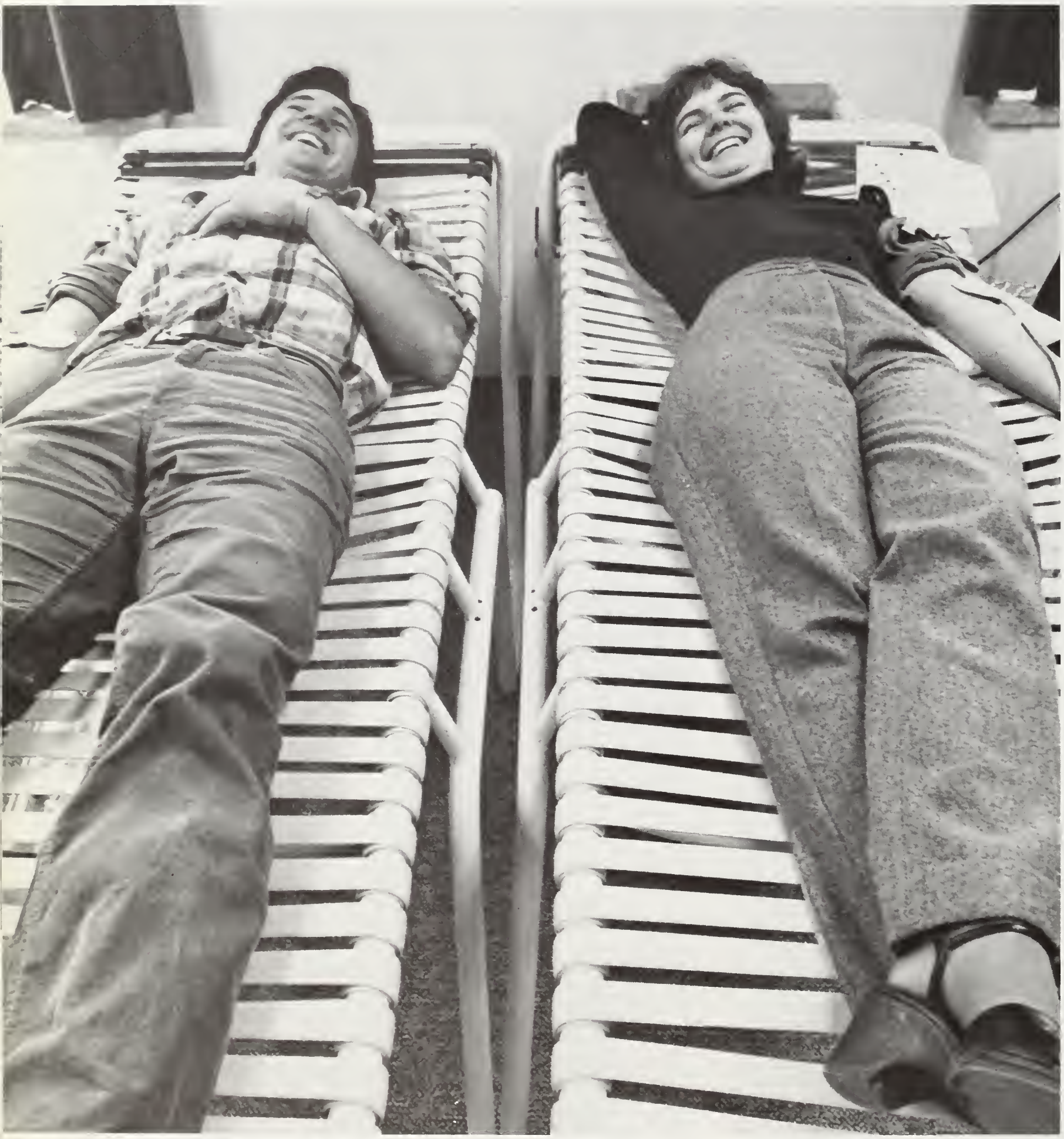
We have now completed our lesson the first
Unfortunately, 'tis by far not the worst
Of the complex abstractions we'll study this year.
If you just remain patient -- please have no fear!
I'm sure we can all come to find it a pleasure
Aided most ably by dear Mr. Cheshire.

We'll look at life estates (but not at life-rents)
Determinable fees, conditions subsequent
Reversions, remainders contingent and vested
E'en perpetuities will have to be bested
Cestuis que trust and cestui que use
Henry the Eighth and his lost feudal dues
Statutes of Mortmain and Statute of Uses
Equity's remedies, common law abuses
Uses on uses and trusts upon trusts
Piled ever higher until the thing busts
Then pick up the pieces and start o'er again
All the king's horses and all the king's men
Can't stop the process once it's begun.
Throw out old seisin -- then we'll have fun!
Spring them and shift them -- now we're in glory!
Defease and determ via use ex'cutory
Legal, equitable, what do we care?
Roll on, estates, to the heavenly sphere!
Only the Rule in **Purefoy** v. **Rogers**2
Can frustrate the artless of our artful dodgers.

Whenever we tire of our little game
We'll take up some new words and start once again
Leases and licences, cov'nants restrictive
Easements and profits by grant or prescriptive
Prescribing an easement in Ontario?
Then claim it's **nec vi, clam** or **precario**!
Dower inchoate and paraphernalia --
Ms. Irene Murdoch knows how it avails you.
Then there is quarantine, forty days duration,
Coverture, settlements, restrain d'anticipation.
When you have mastered all these and more
A glimmer of light will appear at the door
Behind which sits enthroned th'abstruse Deity
Th' enigma itself -- Real Property.

roughout unless the contrary is

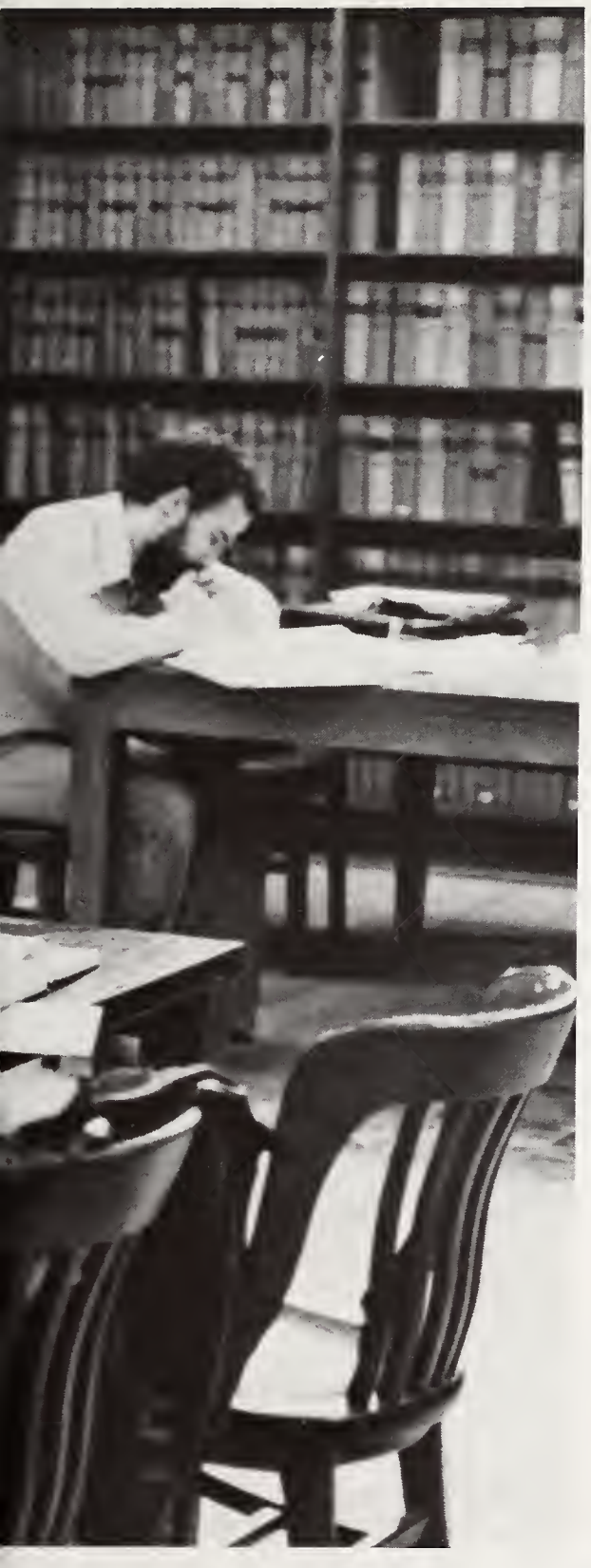
Blood!

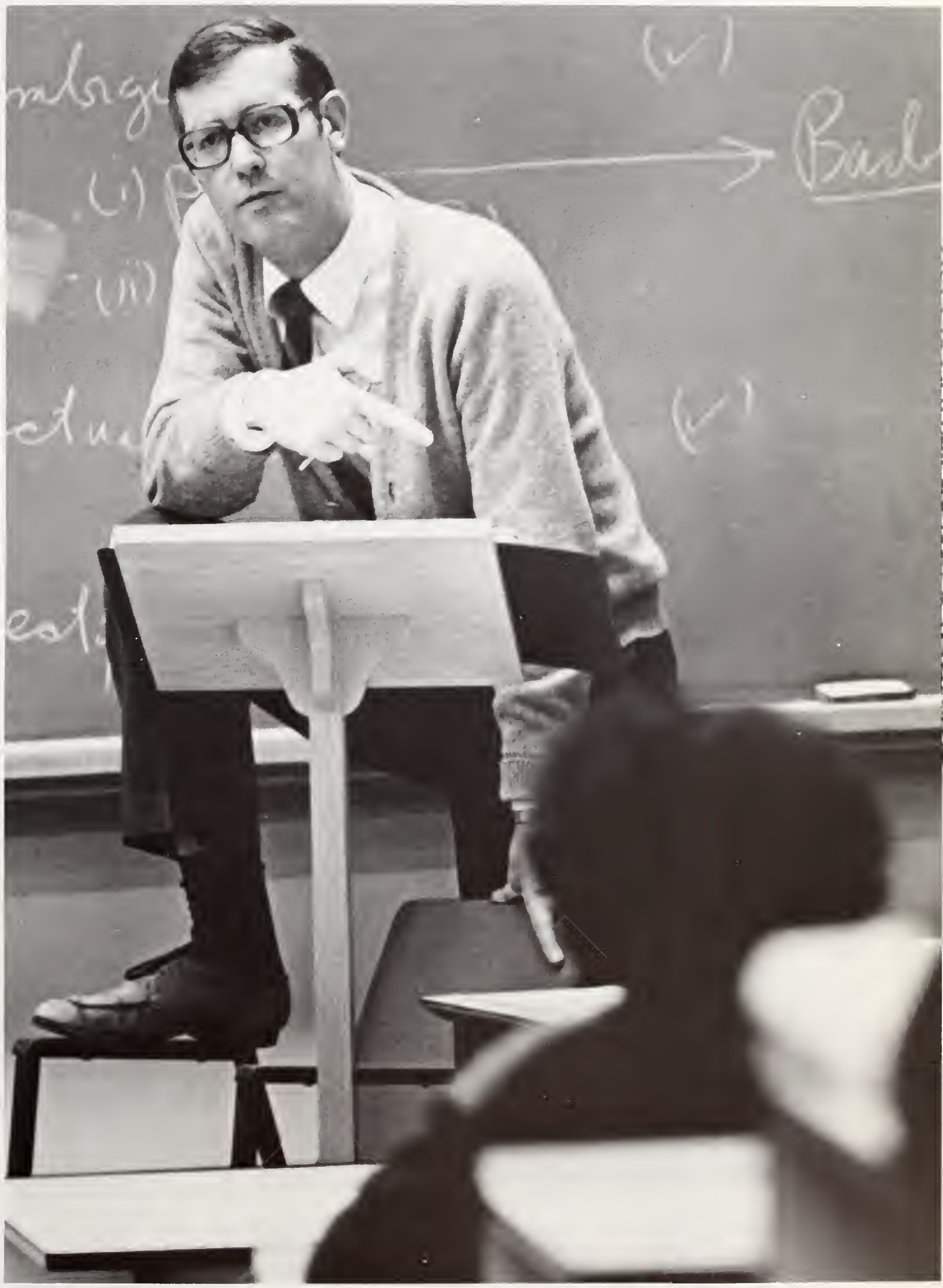


It was good for me. Was it good for you?

Guess who thinks this is the OSAP line.

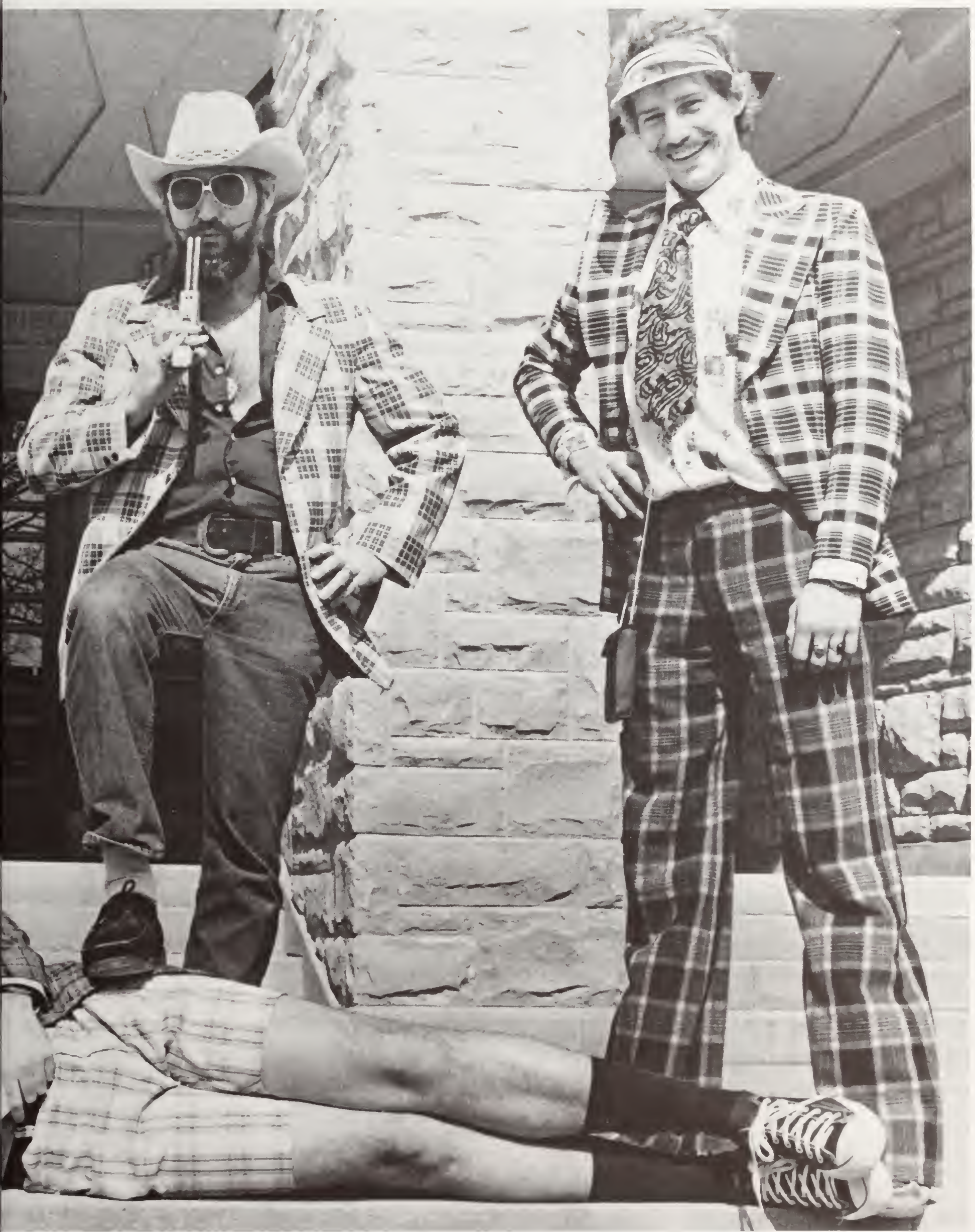
Do I get a cookie for this?





LL.B. at Last

Grads 1982



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Jerome Berthelette
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Marilyn Bongard
London, Ont.

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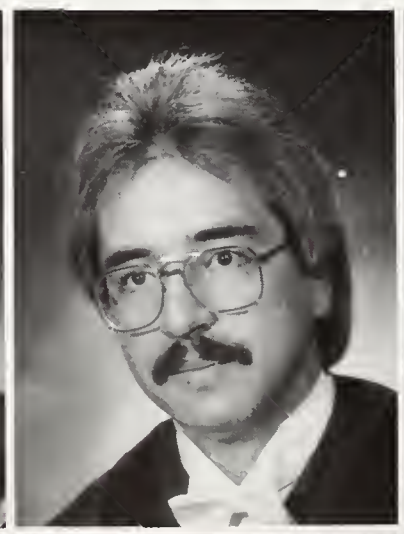
Sarnia, Ont.

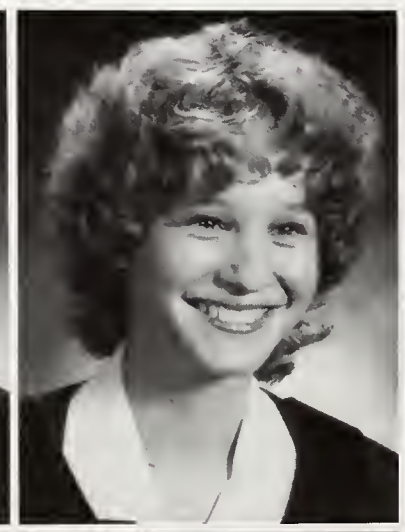
Paul Brewer
London, Ont.

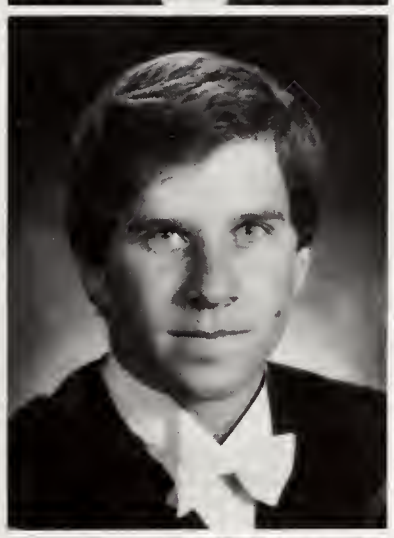
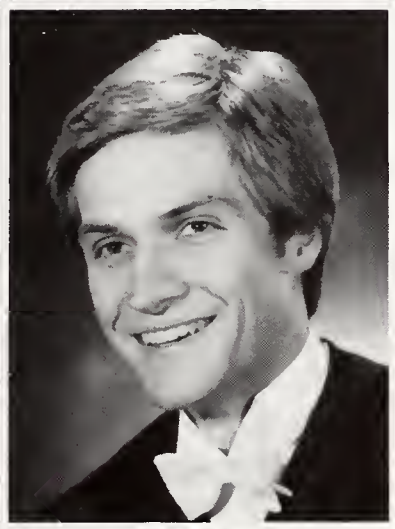
James Brown
Sarnia, Ont.

Shane Brown
London, Ont.

Graham Browne
Copper Cliff, Ont.





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Silton, Saskatchewan

Paul Burns
Oshawa, Ont.

Andrew Buttazzoni
Sudbury, Ont.

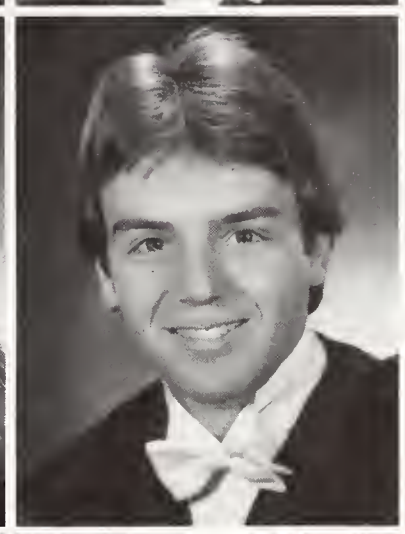
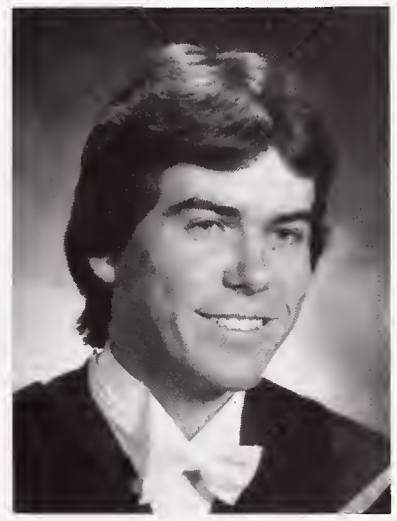
Susan Byles
Dundas, Ont.

Arthur Camporese
Stoney Creek, Ont.

Jeffrey Carhart
Winnipeg, Man.

Sarah Colquhoun
Thunder Bay, Ont.

Kevin Comeau
Burlington, Ont.

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London, Ont.

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Strathroy, Ont.

Michael Coyle
Niagara Falls, Ont.

Ian Cross
London, Ont.

Robert Culliton
St. Catharines, Ont.

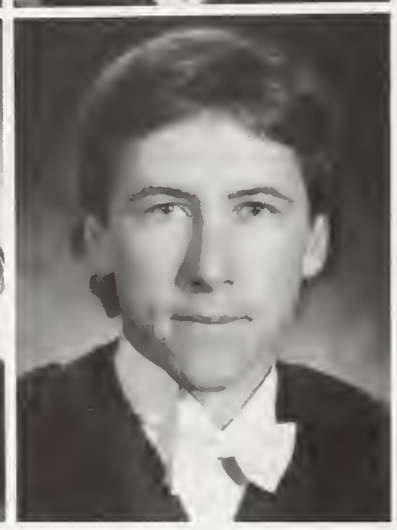
Brent Cumming
Stroud, Ont.

Michael Cupello
Thunder Bay, Ont.

Mary Ann Currie
London, Ont.

Marina Damji
Toronto, Ont.

Bryan Davies
Whitby, Ont.



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London, Ont.

Jane Depraitere
London, Ont.

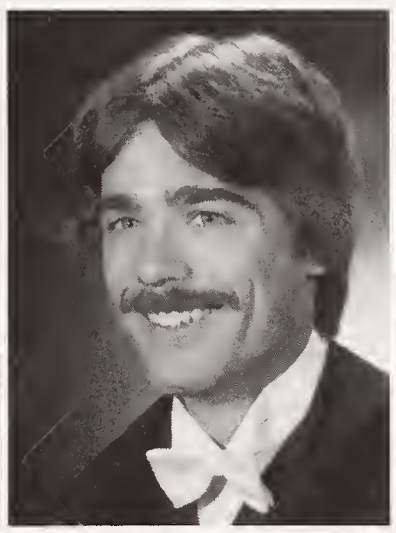
John Difiore
Welland, Ont.

Peter Dobbie
Mississauga, Ont.

Daniel Dooley
London, Ont.

Susan Eynon
London, Ont.

John Finnigan
London, Ont.



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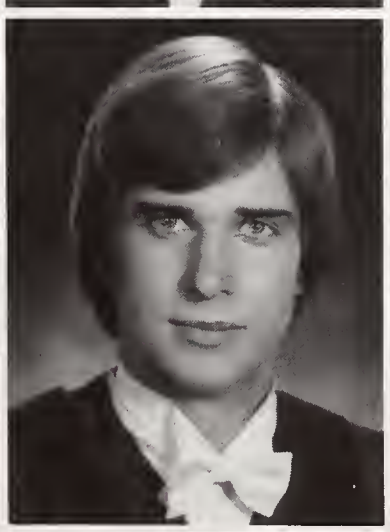
Willowdale, Ont.

Teresa Foden
Weston, Ont.

Anne Marie Frauts
London, Ont.



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Fisher Branch, Manitoba

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Karla Gower
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John Graham
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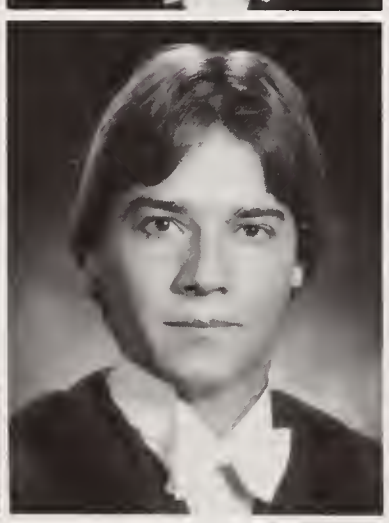

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Renate Herbst
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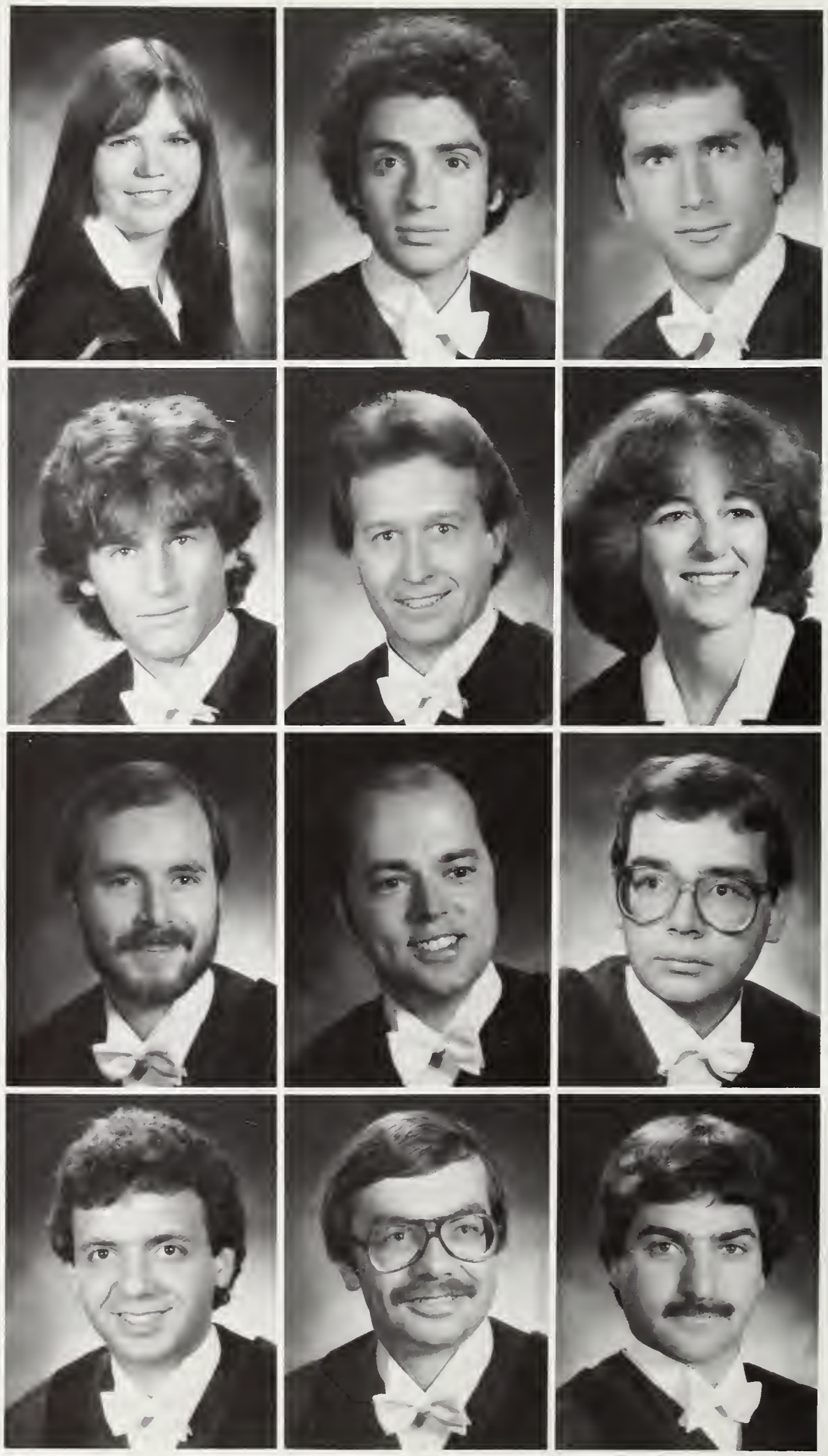

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Hamilton, Ont.

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Andre Huneault
Windsor, Ont.

Morris Kansun
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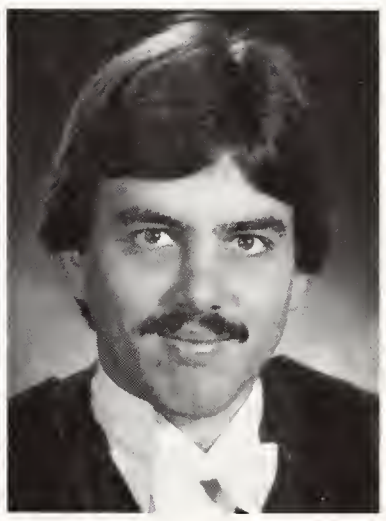

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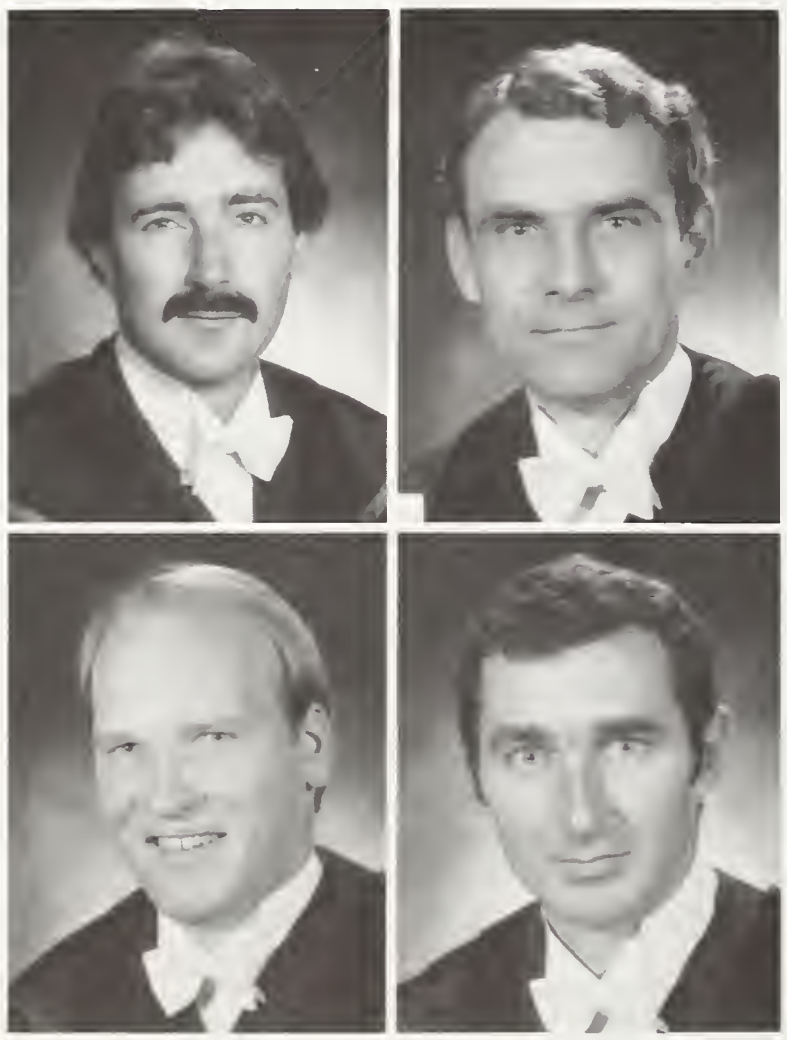

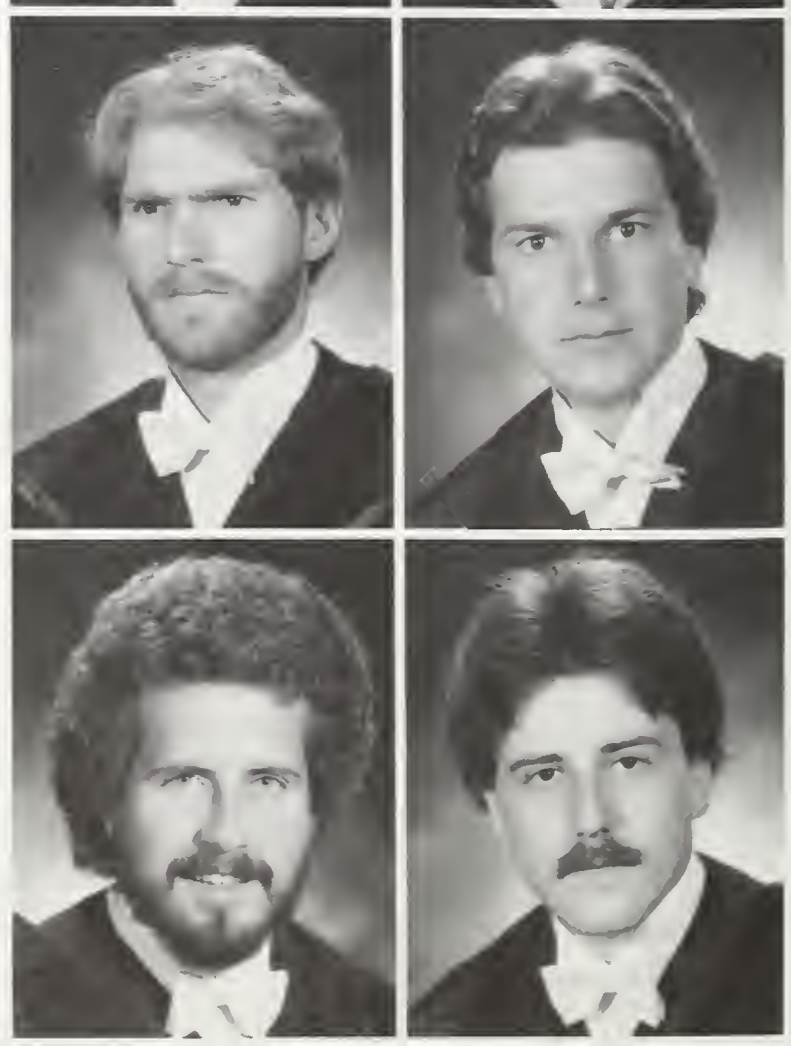

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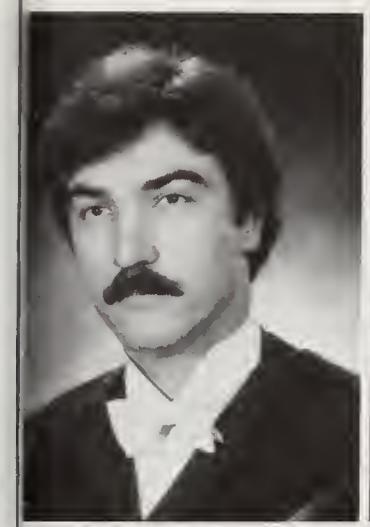

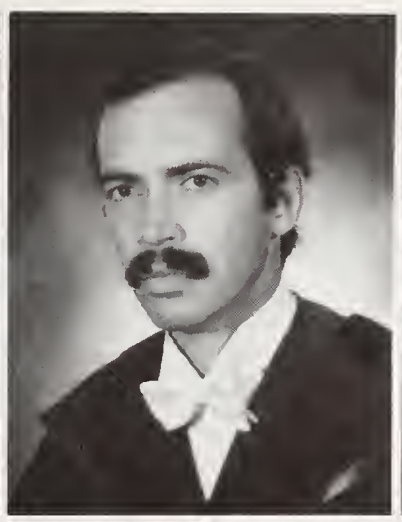

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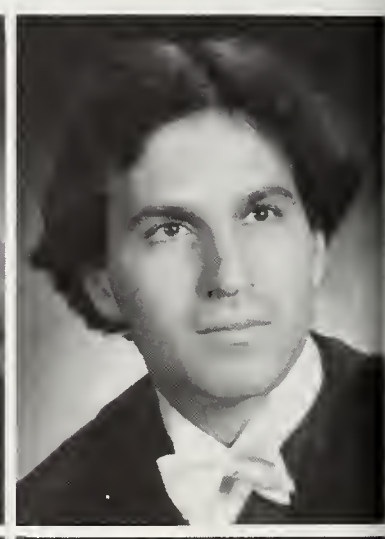

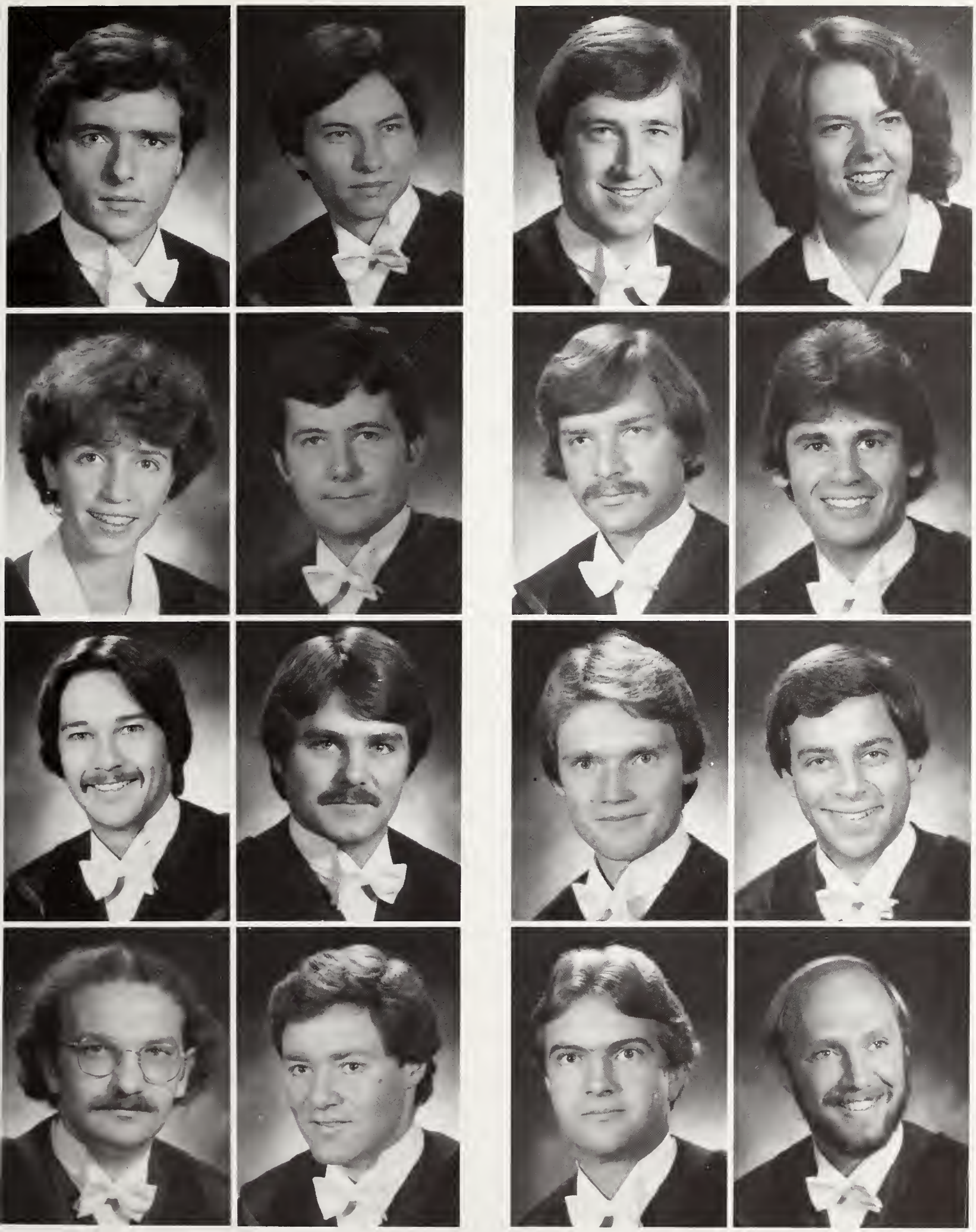

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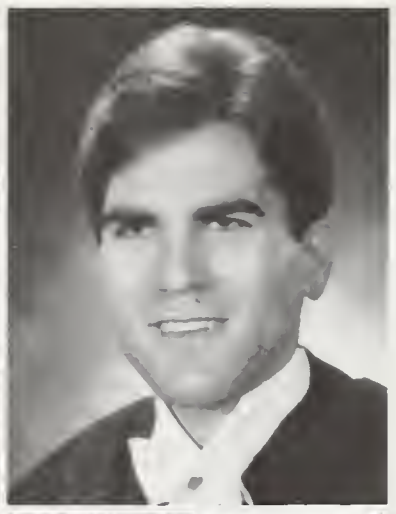

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North Bay, Ont.

Jennifer Wilson
Fort McMurray, Alta.

Howard Winkler
Willowdale, Ont.

Cathy Worden
Beaconsfield, Que.

Joseph Wygergangs
Georgetown, Ont.

Pamela Yudcovitch
Mt. Royal, Que.

Robert Zochodne
Oshawa, Ont.

Mooting

NIAGARA CUP

International Moot Court Competition

Courthouse,
London

Moot Court Committee

Jessup Moot Team

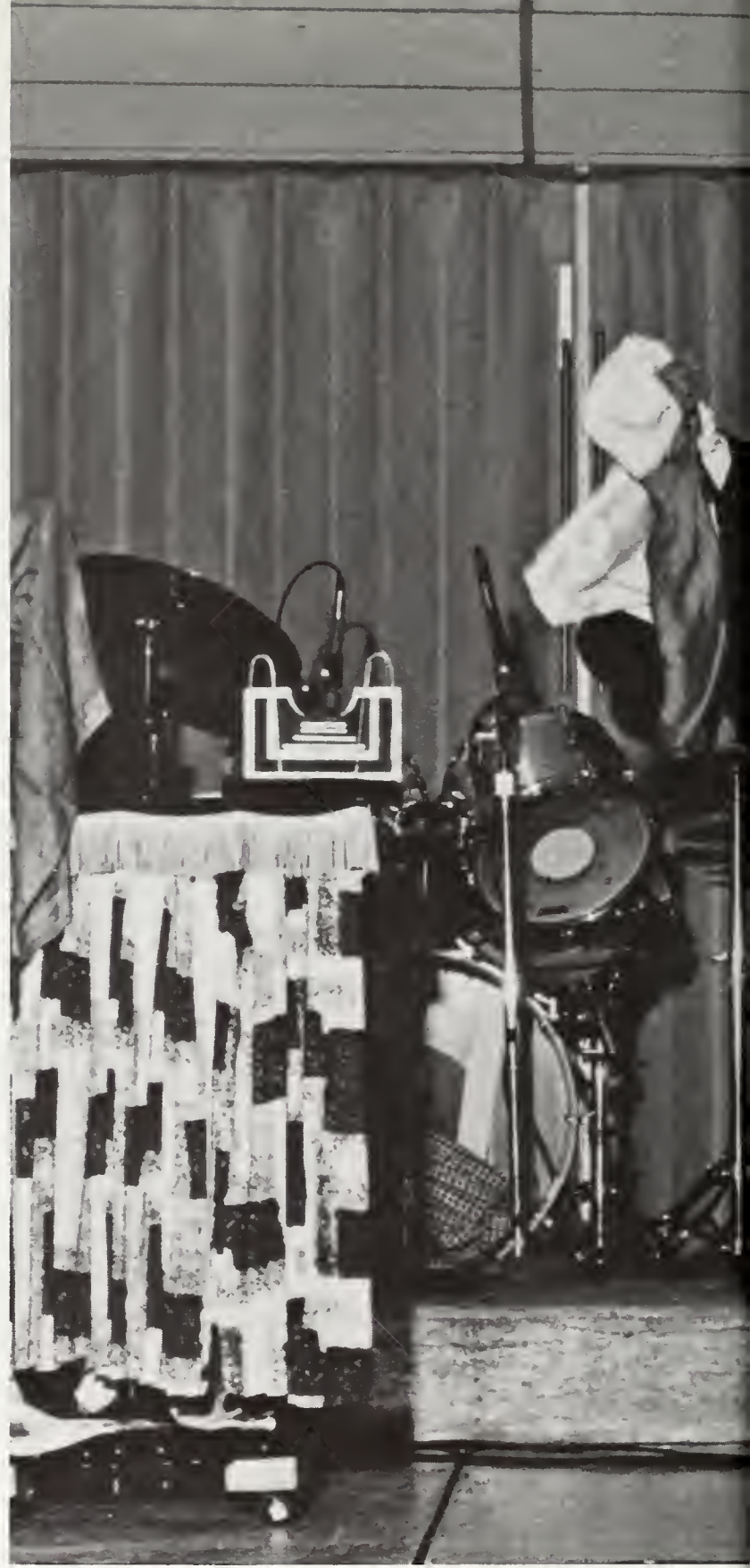
MOCK TRIAL by Women's Law Association

BRUCE
8

London Legal Clinic

The Short Course in Law for Journalists, 1982

no-talent night

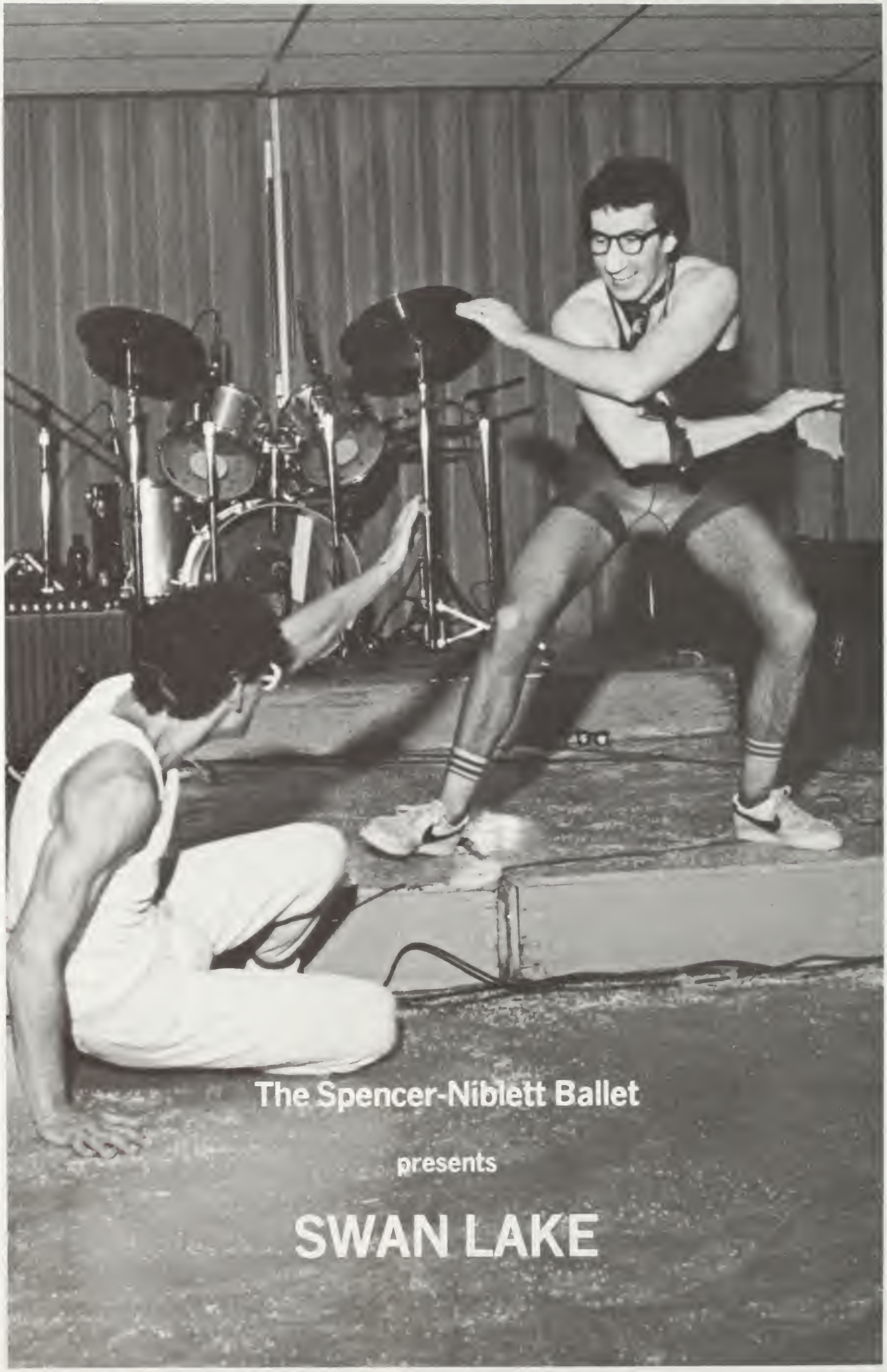


MOOT-COURT HERO

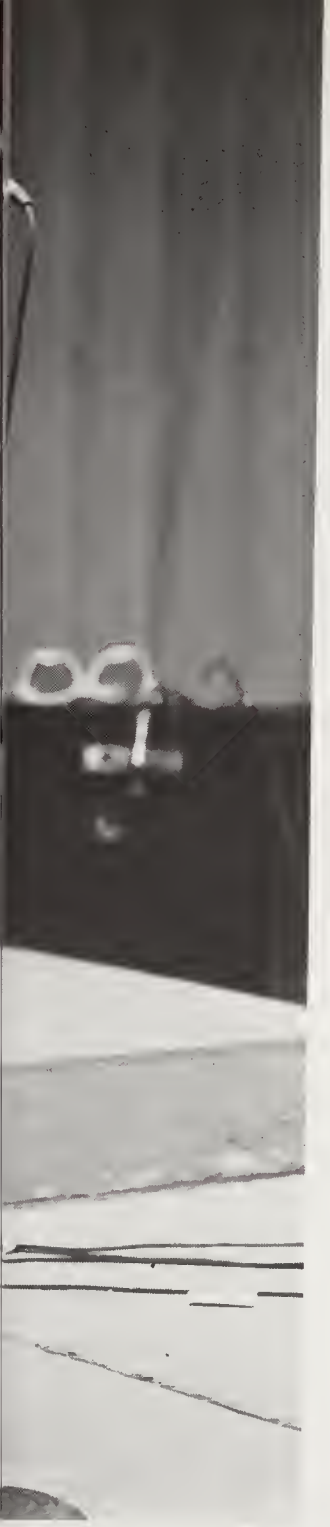
THE GREAT BUTTAZZONI

THE BEER HUNTER

HEAD NOTES


The Spencer-Niblett Ballet
presents
SWAN LAKE

KROTH
KROTH



The Lonely Brothers

LEGAL EAGLES
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EAGLES
LEGAL
UWO
EAGLES
LEGAL EAGLES
UWO
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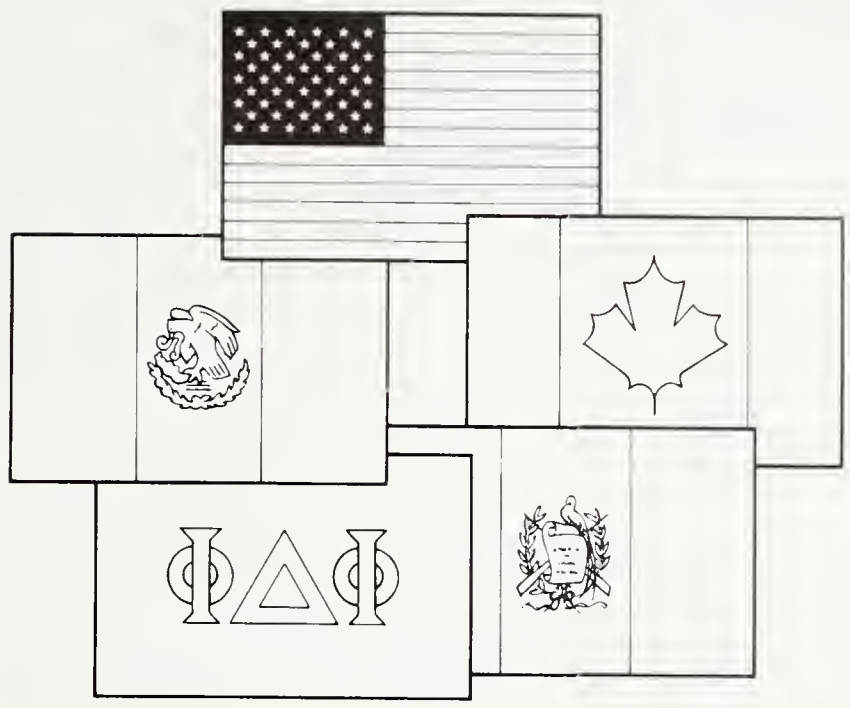
EAGLES
LEGAL
UWO
EAGLES

"HOW DO YOU PLEAD"

John Kerr, Q.C., Prof. MacKay, Q.C. Prof. McNair, His Honour Judge Killeen (Members).

Phi Delta Phi



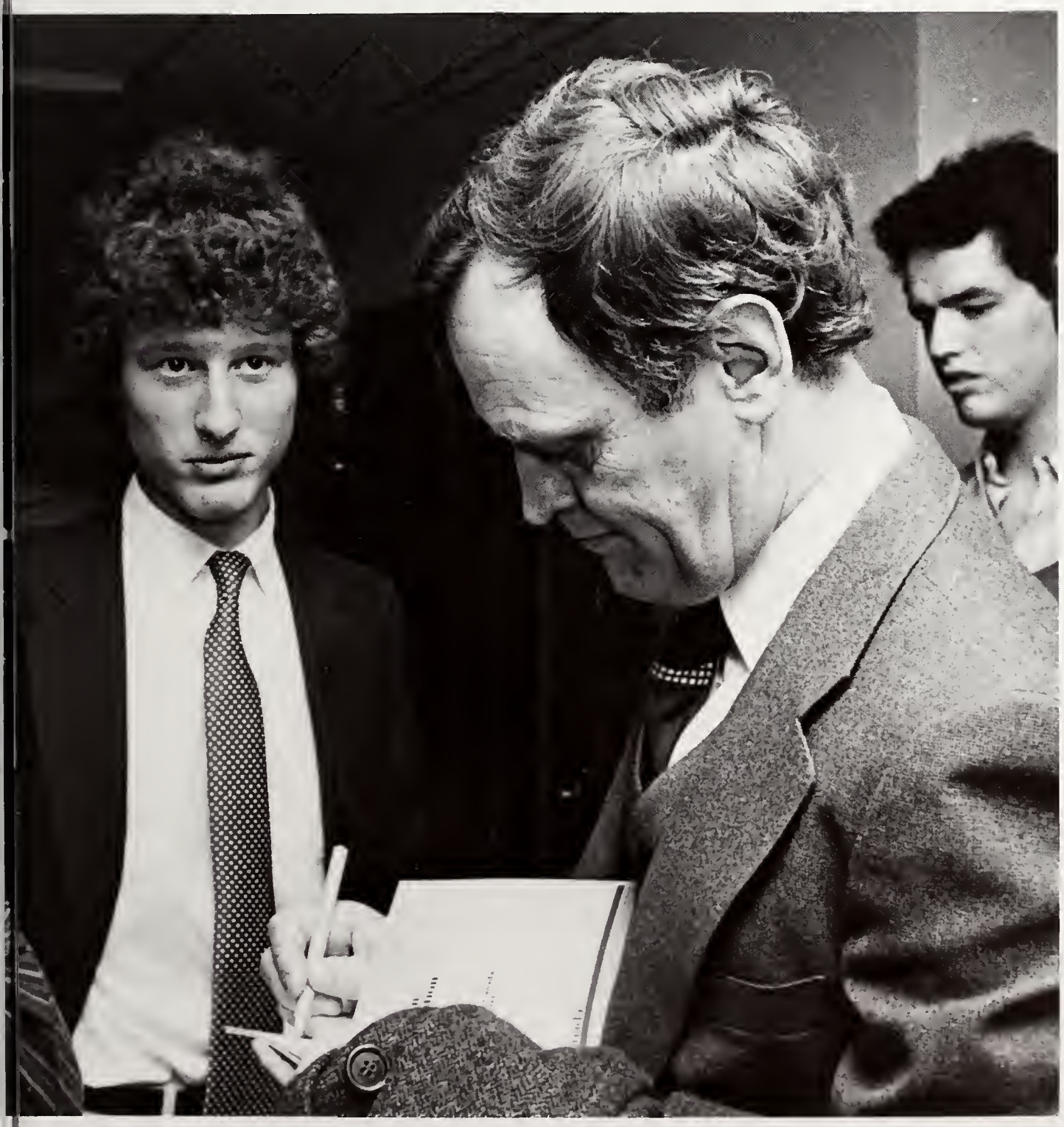
Bonspiel

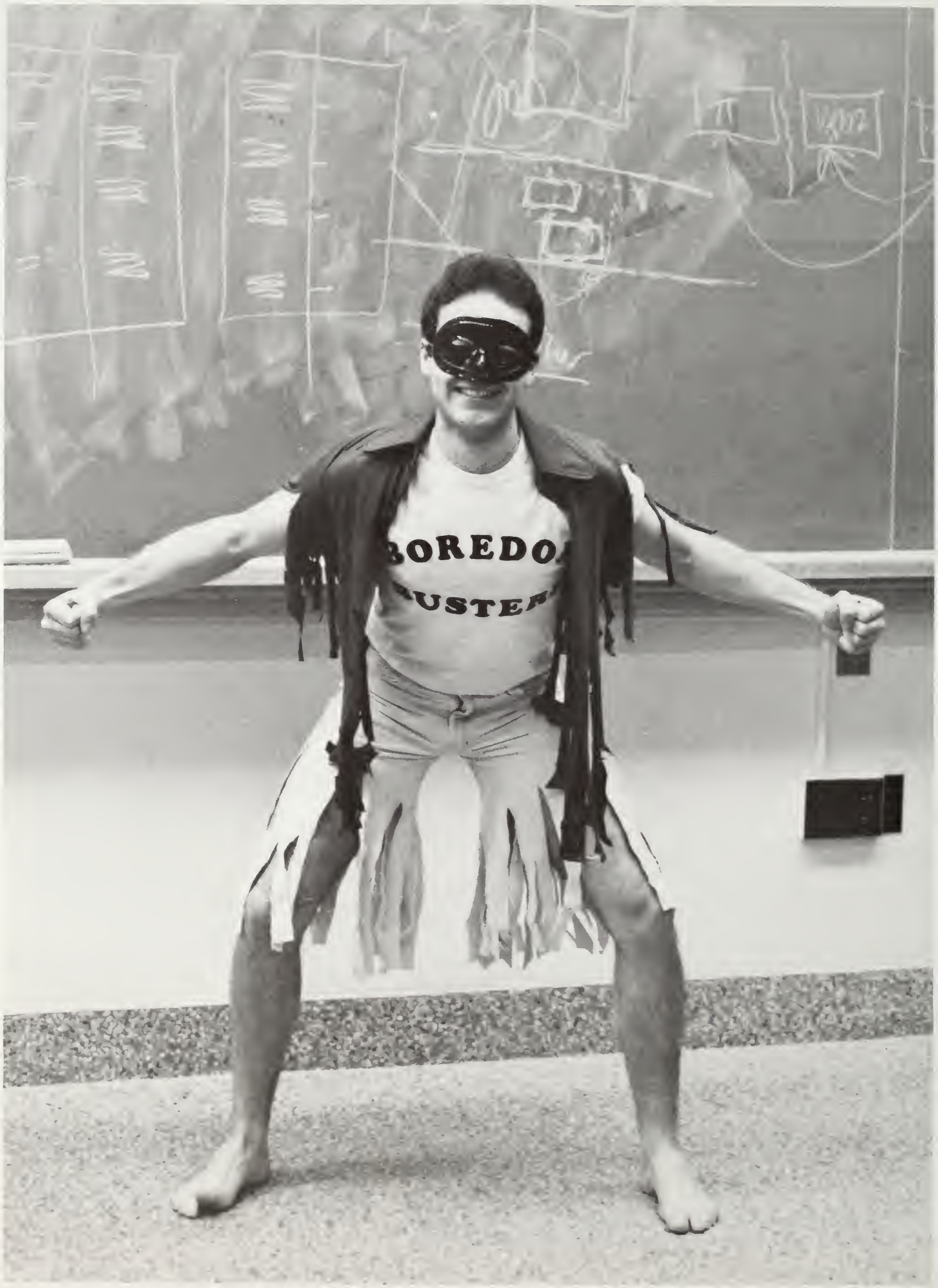
4

Student Court

Distinguished Visitor

The Right Honourable Jean Chretien
Minister of Justice

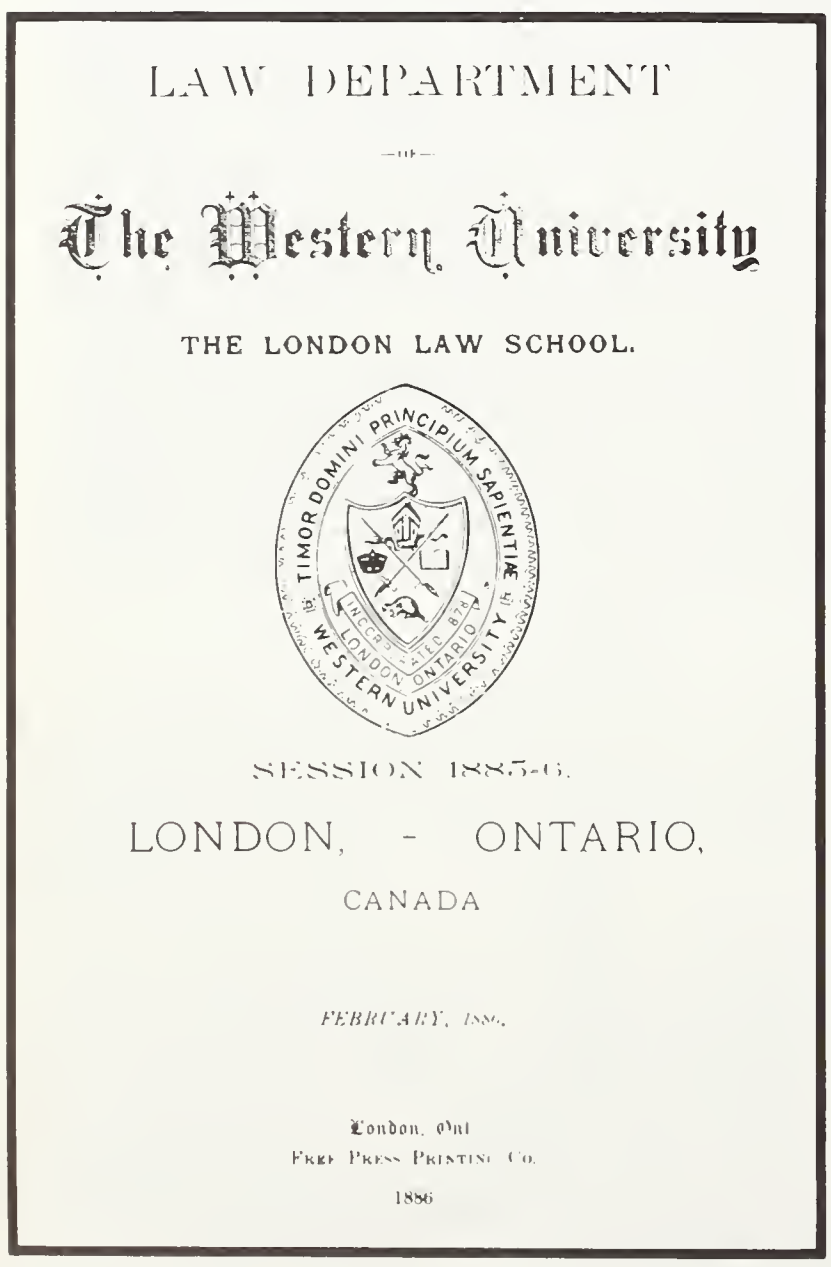



BOREDO
USTER

The Boredom Busters

William Elliott, **Dean**, 1885-87

A Hundred Years Ago . . .



LAW DEPARTMENT

The Western University

THE LONDON LAW SCHOOL.

SESSION 1885-6.

LONDON, - ONTARIO,

CANADA

FEBRUARY, 1886.

London, Ont

Free Press Printing Co.

1886

In 1885, the year in which the Faculty of Arts at The University of Western Ontario was forced to close, the idea of founding a law school was first publicly mooted. At this time there were in the London district a number of young men studying for admission to the Bar who obviously had much to gain in attending a local course of lectures designed for future practitioners. In November 1885, the Middlesex Law Association took the initiative and approached the Senate of the University with a proposal for affiliation. This was quickly approved and in the following months the Senate passed a statute establishing the Faculty of Law at Western University. In an amended form this instrument won legislative approval on August 3rd, 1886.

The first curriculum was framed to embrace all subjects in which examinations were required by the Law Society of Upper Canada for admission to the Bar. It was expected that the examinations of the London Law School would be accepted in lieu of those in the Law Society as soon as the school had become formally established. The course of instruction included also the subjects required by other universities in Ontario for the degree of Bachelor of Laws so that students of the school could proceed on an equal footing to the degree of LLB in Western University.

A number of prominent London lawyers offered their services as lecturers, enabling the school to begin operation immediately. The faculty included: William Elliott, Senior Judge of the County of Middlesex, Dean; W.H. Bartram, Registrar; W.W. Fitzgerald, Bursar; and the following lecturers: J.F. Flock; N.D. Fraser; George C. Gibbons; I.F. Hellmuth, LLB; James Magee; W.R. Meredith; QC, LLB, MPO; The Honourable David Mills, LLB, MP; and W.P.R. Sweet, QC, LLB.

WESTERN UNIVERSITY.

The London Law School.

Dean:

HIS HONOR WILLIAM ELLIOT, Judge of Middlesex.

Registrar:

W. H. BARTRAM, Esq.

Bursar:

W. W. FITZGERALD, Esq.

Lecturers:

W. P. R. STREET, Esq., Q.C., LL.B., *Professor of Equity Jurisprudence.*

HON. DAVID MILLS, LL.B., *Professor of International Law and Rise of Representative Government.*

J. H. FLOCK, Esq., *Professor of Criminal Law.*

JAMES MAGEE, Esq., *Professor of Real Property Law.*

M. D. FRASER, Esq., *Professor of Personal Property Law.*

I. F. HELLMUTH, Esq., LL.B., *Professor of Constitutional History.*

W. R. MEREDITH, Esq., Q.C., LL.B., *Professor of Municipal Law.*

GEO. C. GIBBONS, Esq., *Professor of Law of Contracts.*

Curriculum for 1885-6.

HARRIS' CRIMINAL LAW.

SNELL'S EQUITY JURISPRUDENCE.

WILLIAMS ON REAL PROPERTY—*Leith.*

POLLOCK ON CONTRACTS.

DILLON'S MUNICIPAL CORPORATIONS.

KENT'S INTERNATIONAL LAW.

TASWELL LANGMEAD'S CONSTITUTIONAL HISTORY.

GUIZOT'S RISE OF REPRESENTATIVE GOVERNMENT.

THE COURSE OF LECTURES FOR THE MONTH OF DECEMBER

have been fixed by the Faculty, as follows:—

Wednesday, the 9th, - - -	Mr. James Magee.
Friday, the 11th, - - - -	Mr. W. P. R. Street, Q.C., LL.B.
Monday, the 14th, - - -	Hon. David Mills, LL.B.
Wednesday, the 16th, - - -	Mr. Geo. C. Gibbons.
Friday, the 18th, - - - -	Hon. David Mills, LL.B.
Monday, the 21st, - - -	Mr. W. R. Meredith, Q.C., L.L.B.
Wednesday, the 23rd, - - -	Mr. I. F. Hellmuth, LL.B.

The Lectures will be held in the Library at the Court House, at 4.30 p. m.

Students are requested to be punctual.

W. H. BARTRAM,

Registrar.

Dated 7th December, 1885.

Western University.

The Dean and Faculty of the London Law School
request the pleasure of

Mr. ..... presence

at the inaugural Lecture
to be delivered by His Honor Judge Davis,
Vice-Chancellor of the University,
at 8 p.m., on Friday, the 4th inst., in the Court Room,
Court House.

W. H. BARTRAM.
Registrar.

2nd December, 1885.

WESTERN UNIVERSITY — LONDON Law School — The inaugural lecture will be delivered by His Honor Judge Davis, Vice-Chancellor of the University at 8 p.m. on Friday, Dec. 4, at the Court Room, and will be open to the public, who are invited. Students for the course are requested to enroll their names with the Registrar, who will attend at the library, in the Court House, at 3 p.m. Friday, for the convenience of students not previously enrolled. By order, W. H. BARTRAM, Registrar. December 1, 1885.
34-k

Thirty-eight students were registered in the first year. The inaugural lecture was delivered in the Court House on the evening of December 4th, 1885, by Judge Frederick Davis. The regular lectures which were held on Monday, Wednesday and Friday afternoons at 5 o'clock went on through the winter of 1885-86. The Law Society of Upper Canada, however, refused to accept the examination of the London Law School as equivalent to its own. Consequently, the enthusiasm of the students began to wane and one by one they dropped out of the course until only three were left to write the first examinations in June.

In September, 1886, the school opened for a second season, this time with a registration of only seventeen. Lectures continued as before but the interest of the students was again flagging. The number in attendance continued to drop until February 12th when all further lectures were cancelled and the Law School, like the Arts Department, ceased to function. Some members of the Middlesex Law Association still hoped to revive it but this possibility was precluded when in 1889 the Law Society of Upper Canada required all students of law in Ontario to attend Osgoode Hall for three years.

FEES.

18. Payable to the Faculty:—

For enrollment as student, and certificate thereof, - -	$ 1 00
For each annual examination, - - - - - - - -	2 00
For application for degree, including examination on dissertation, etc., - - - - - - - - - - - -	4 00
Fee for degree, payable to the University, - - - -	25 00

To the Honourable

The Faculty of the London Law School

We the undersigned students at Law, and students in attendance at this School of Law respectfully beg to bring to your notice, the inconvenience of the hour at present set by your Honourable Faculty, for the delivery of the lectures, so generously given by the Professors.

We find, after a due regard has been paid to the various duties expected from us, by our Principals, during the day, we are not able to reap the full benefit of a lecture delivered from five to six in the evening.

It is essential for us, in order that we may be able to sustain the constant mental labour, necessary for the proper and skilful training in the science and practice of Law, to pay some attention to physical culture to preserve "mens sana in sano corpore", and as the days are now growing longer, we wish an opportunity to fit ourselves for those sports for which the London Bar, and particularly the members of your Honourable Faculty are so justly celebrated.

We would respectfully suggest that the hour for the lectures be changed from five P.M. to nine A.M. an hour at which some of us, who hitherto have been unable to attend, could attend; and we all would find this the most convenient and beneficial time of the day for lectures.

H. L. Pursley
J. Harper
H. J. Crowe
J. W. Balcom
E. D. Frost
E. Chapman
H. N. Dyman
W. Candrett

Education Department,
Toronto, 9th March, 1886.

My Dear Mr. Smith,—On revising your statute *re* Law Faculty, I have come to the conclusion that it is clearly *ultra vires* of the statute creating the Western University, and propose so reporting to Council. I write you this way privately out of consideration for yourself personally and the institution you represent.

Yours, etc.,
G. W. ROSS.

Rev. J. W. P. Smith,
London, Ont.

Ivan Cleveland Rand, **Dean**, 1959-66

However, between 1915 and 1954, under various departments in the Faculty of Arts, courses of instruction were given in legal subjects leading to a degree of Bachelor of Laws (LLB). In 1920 a Department of Law was created under F.E. Perrin, BA, who continued to lecture in that Department until his appointment to the Bench in 1934.

In 1930 he was joined by C.C. Carrothers, BA, LLB, and the latter lectured until the termination of the Department in 1954.

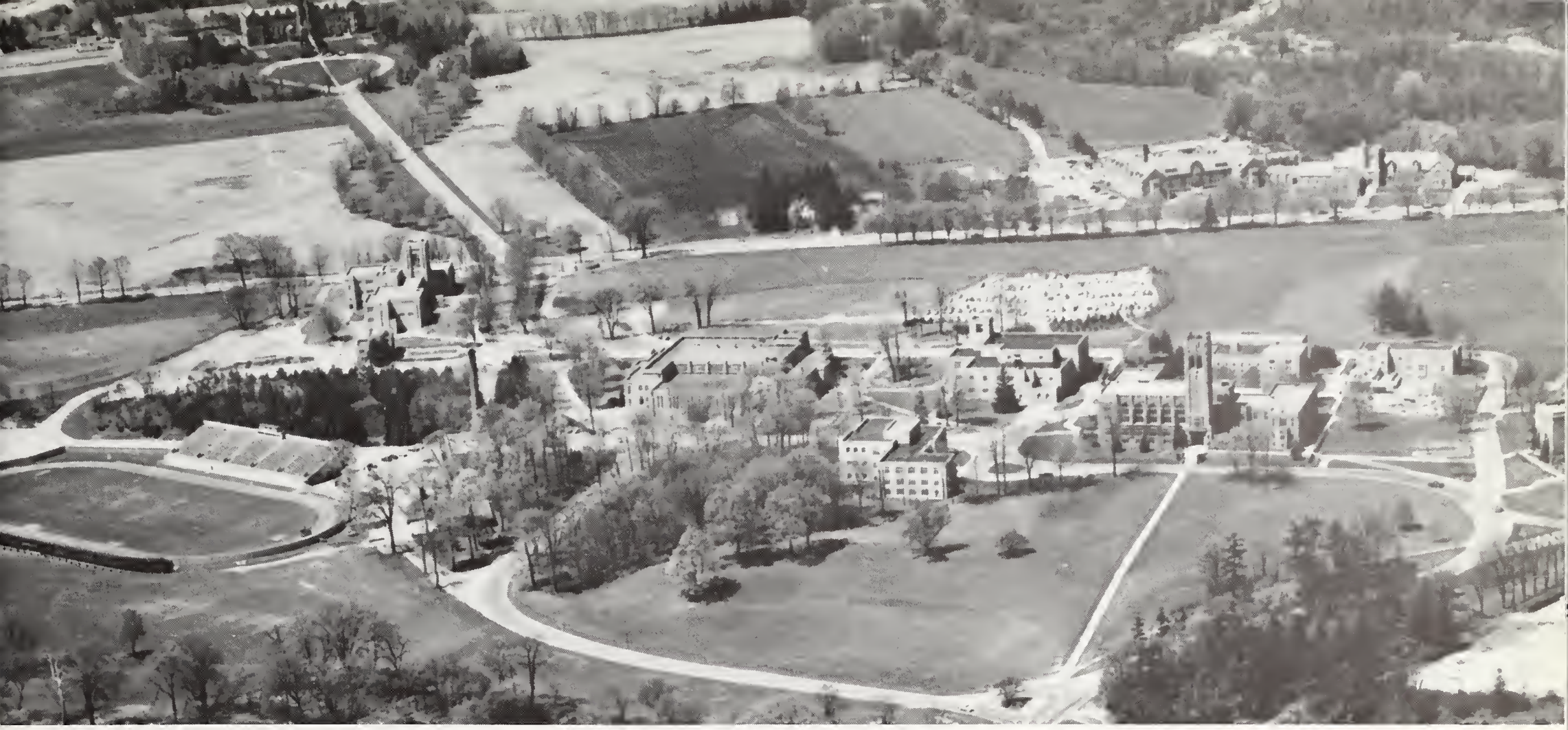
Nevertheless, between 1889 and 1949 the Law Society continued to maintain a monopoly over legal education through the medium of its own school at Osgoode Hall. On February 15th, 1957, after years of protracted controversy, the Law Society of Upper Canada provided for the equal participation of approved university law schools in the academic preparation for admission to the Ontario Bar. It also recognized the need for graduation upon completion of a full time academic course of not less than three years, as a prerequisite to the final stages of professional training.

In 1958, following this important change of policy in legal education, the Senate of The University of Western Ontario decided to re-establish the Faculty of Law and on May 1st, 1959, The Honourable Ivan C. Rand, formerly a Puisne Judge of the Supreme Court of Canada, was appointed its Dean. On Thursday, September 17th, 1959, after an interval of seventy-two years, regular classes resumed in the law school of The University of Western Ontario, with a first year enrolment of thirty-five students selected from a large number of applicants.

By the time Dean Rand retired in June 1964, first year enrolment had doubled. Both the Faculty of Law itself and its course of instruction are officially approved by the Law Society of Upper Canada.

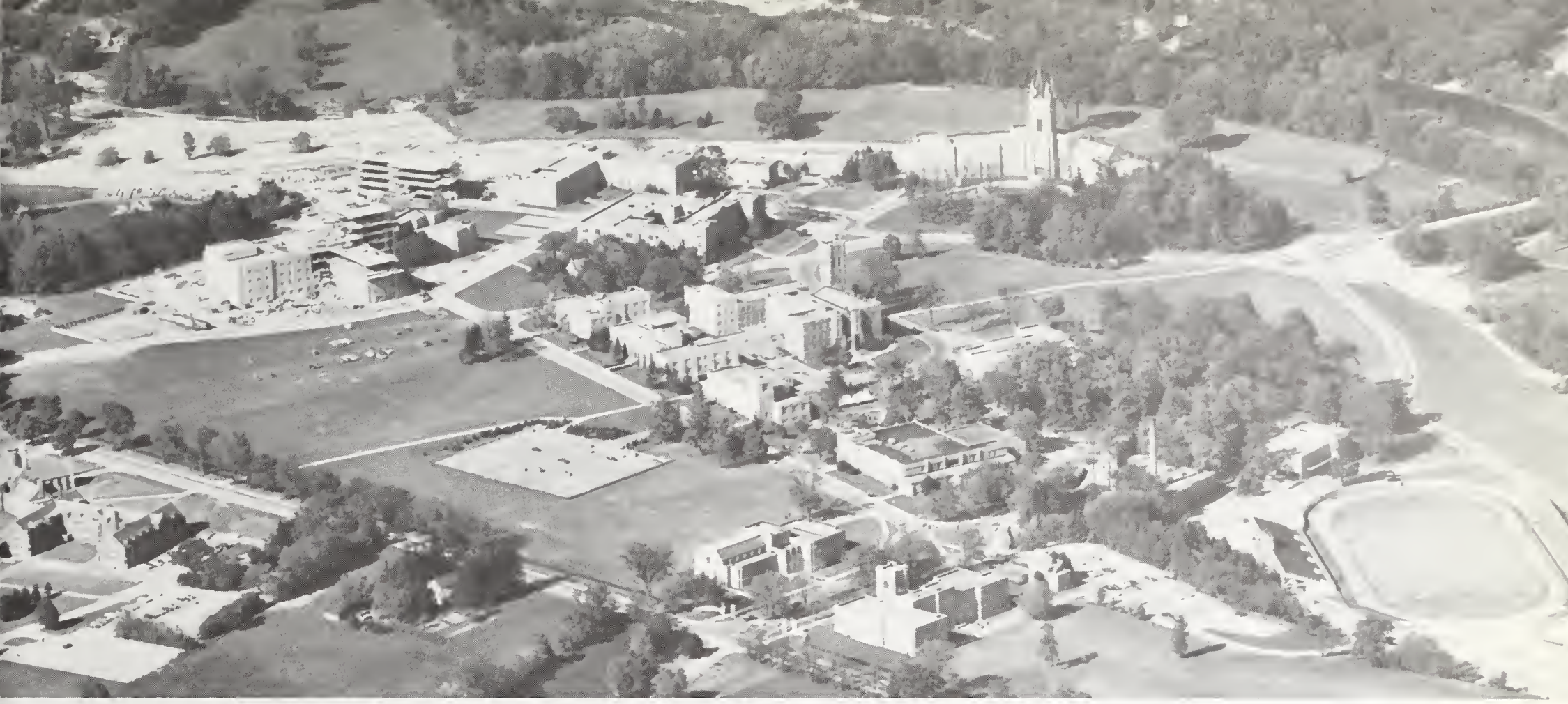
During the first two years instruction in the Faculty of Law was carried on in a wing of the new Engineering Science Building. In May 1961 construction of the Josephine Spencer Niblett Building was completed and in the summer months following the Faculty moved into its permanent home. Built in the modified collegiate Gothic tradition, this handsome building takes a place of honour on one of the most beautiful campuses in Canada. It was designed to accommodate about two hundred students, composed of three years of medium-size undergraduate classes and later of graduate groups. The Faculty of Law contained three lecture rooms and four seminar rooms, a well-equipped library with space for 100,000 volumes, a courtroom, a study lounge, and other facilities. In 1968 an addition to the building approximately doubled the existing size of the school.

In the beginning . . .

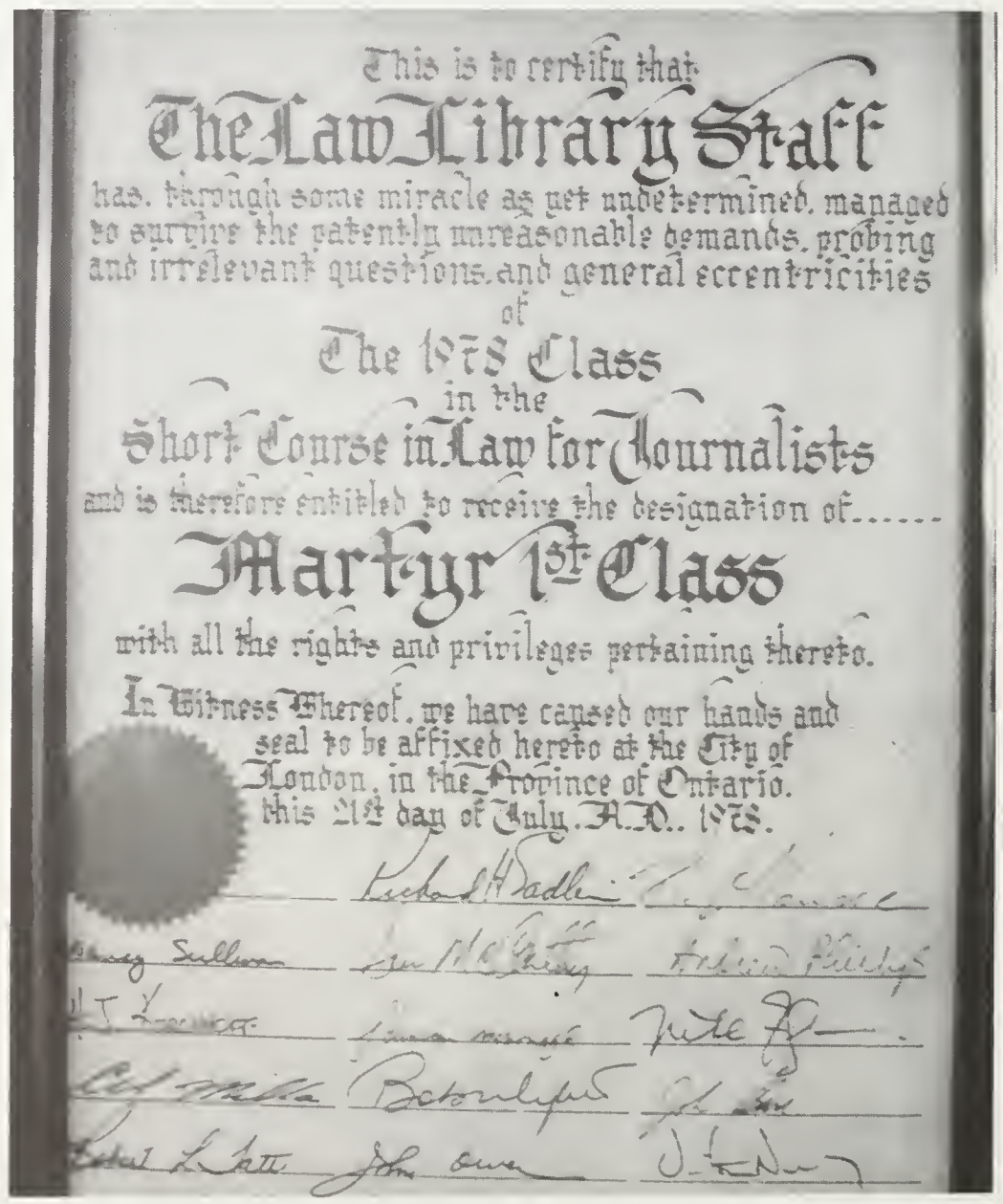


HURON LOUNGE

Voila!



A.W.R. Carrothers, **Dean**, 1964-69



This is to certify that

The Law Library Staff

has, through some miracle as yet undetermined, managed to survive the patently unreasonable demands, probing and irrelevant questions and general eccentricities of

The 1975 Class

in the

Short Course in Law for Journalists

and is therefore entitled to receive the designation of.....

Martyr 1st Class

with all the rights and privileges pertaining thereto.

In Witness Whereof, we have caused our hands and seal to be affixed hereto at the City of London, in the Province of Ontario, this 21st day of July, A.D., 1975.

Robert Simson Mackay, **Dean**, 1969-1974

David Lloyd Johnston, **Dean**, 1974-79

THE CASE OF THE MISSING CORNERSTONE

The University of Western Ontario's most travelled cornerstone was mortared securely into position in the Josephine Spencer Niblett Faculty of Law building yesterday.

The ceremony was carried off with poise and decorum that in no way suggested university officials didn't have a cornerstone to lay a few hours before the 2:30 p.m. starting time for the event.

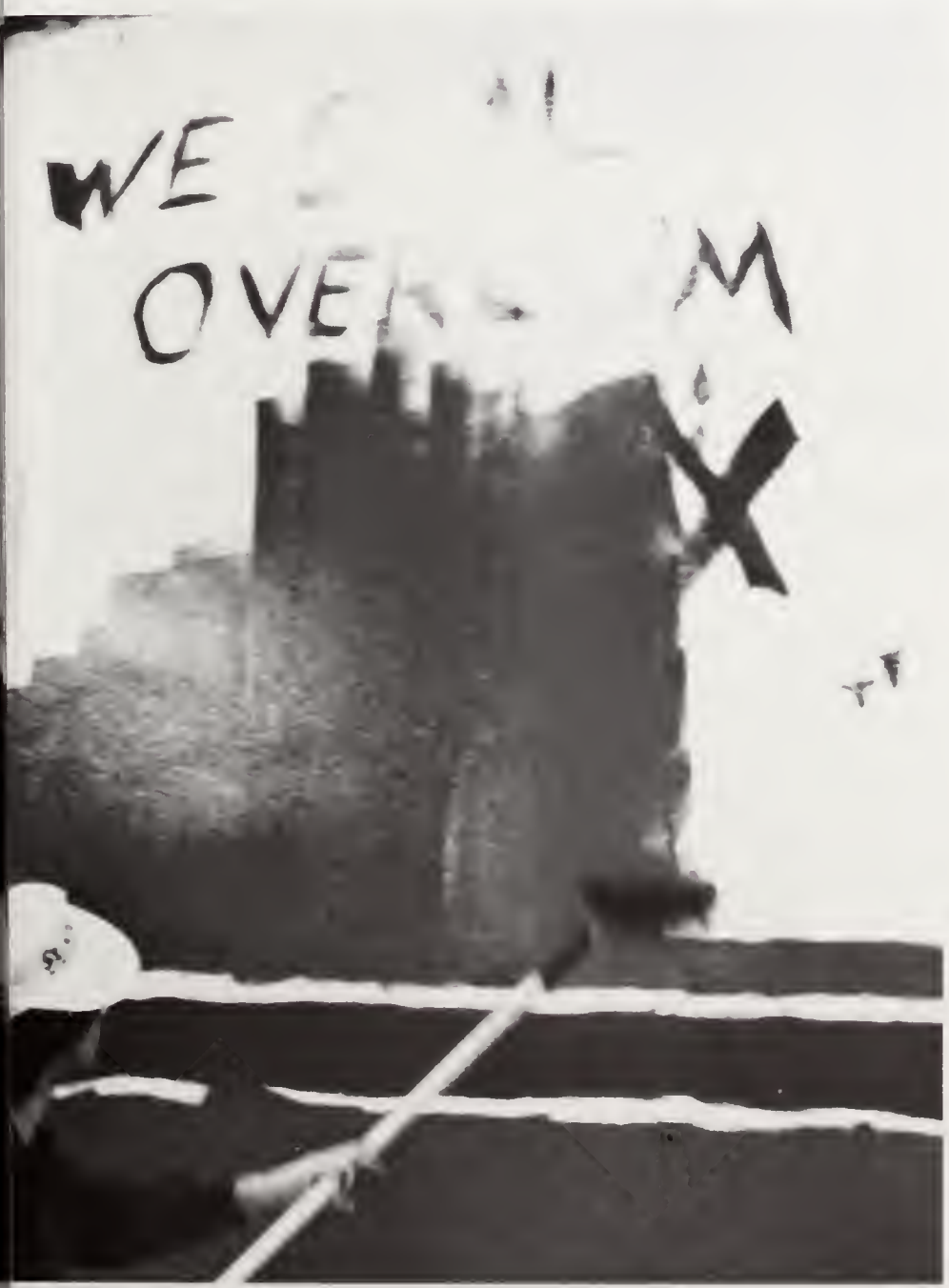
It was stolen and held for ransom and the same university officials were directing an exhaustive serach of the campus at 9 a.m. which, two hours later, turned up the 700 pound piece of limestone in a deep ravine near the Science Service Laboratory.

Acutely sensitive about their loss, Western administrators preferred not to discuss the matter at the time and made no referral to the temporary absence of the stone at the ceremony.

Lt. Col. D.B. Weldon, chairman of the UWO board of governors, who was not in on the early morning hunt, applied the mortar that ensured the stone will travel no more.

The London Free Press, October 22, 1960

The New, Old Lounge


WE
OVE M
X

I threw the Criminal Code at him and said: "Here, Officer, show me where . . ."

The University of Western Ontario Law Association

June 4th, 1982

A MESSAGE FROM THE PRESIDENT

Another milestone was reached in the history of Western's Faculty of Law on October 17th, 1981 with the establishment by alumni of the U.W.O. Law Association.

As the person elected to serve as the first President of the Association, I regard it as a privilege and honour to work for my old law school alongside such capable people as Tom Allen ('63), Ted McGrath ('68) and Diane Haskett ('77) on the new Executive Council. Together with Dean Slayton, Associate Dean McLaren, Sher Singh, President of the U.W.O. Student Legal Society and Beryl Theobald, Alumni Coordinator, we have begun to generate an ambitious program designed to strengthen the bond between U.W.O. law graduates and students, with a view to enhancing the reputation of both.

What does this mean in concrete terms?

1. A three year $200,000 fund-raising campaign to establish permanent entrance scholarships to attract the very best law school applicants to Western.
2. The establishment of awards recognizing the professional achievements of three U.W.O. law graduates each year, and an invitation to the recipients to deliver guest lectures or seminars at the law school prior to receipt of awards at the annual Law Ball. (This year awards were made to Hon. Bill Jarvis M.P., Bruce Rudd and Edgar Sexton Q.C.).
3. Involvement of Association members in recruitment activities for prospective law school applicants in major urban centres during March of each year in order to promote the U.W.O. Law School. (The first such event was held at the Albany Club in Toronto on March 15, 1982 and attracted over 500 prospective students).
4. An expanded programme of visits by Association members for guest seminars and discussion groups at the Law School.
5. Assistance to U.W.O. law students in locating suitable articling positions.

Significantly, membership in the new Association is not limited to U.W.O. law graduates. We are pleased to include, among our members, person who have received any degree from Western and who are members in good standing of the legal profession, as well as persons who are or have been full-time or part-time members of the teaching faculty at the Law School. Thus, with almost 2,000 LL.B. graduates from Western, plus these additional groups, we have a large and distinguished body of over 2,600 people potentially able to participate in the above programmes.

The U.W.O. Law School is a great institution. The School's solid reputation has spread throughout Canada, largely as a result of the success of its graduates. It continues to grow in stature. Many of us have strong feelings for the institution, the ideals which it promotes and the people that have made it come alive over the years.

But there are problems to be faced: the financial squeeze; the movement to limit numbers of lawyers by reducing intake of students; the difficulties of attracting and retaining a high class traching faculty; and most important, the challenge of attracting the very best students. Perhaps the establishment of the U.W.O. Law Association and its programme of activities will, in some small measure, make it easier for our law school to meet these problems head on. If we can also have a little fun along the way, so much the better.

Ronald G. Atkey, P.C., Q.C. ('65)
President

The First UWO Law Association Professional Achievement Awards Winners:

Bruce Rudd
Bill Jarvis, M.P.
Edgar Sexton, Q.C.

All from the Class of '62

L2

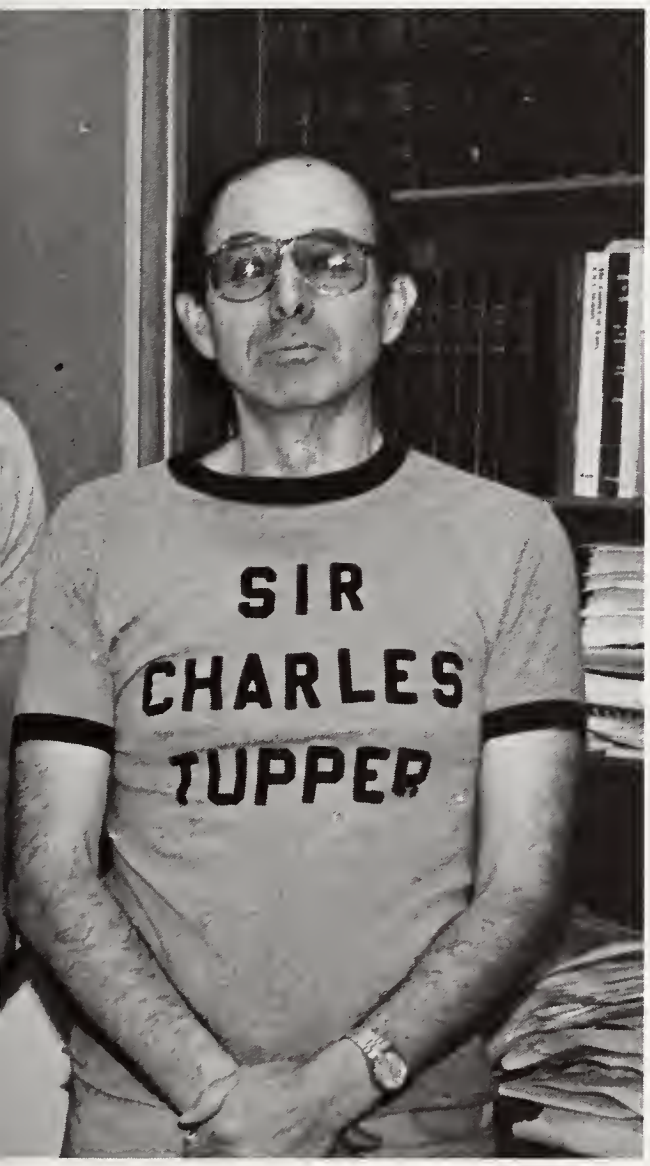
L1

On September 23, 1953, I was called to the Bar. On September 24, 1953, I appeared on my first superior court case which involved an application by my client, a widow, for commutation of a policy of insurance taken out by her husband. Appearing for the insurance company was Sir Charles Tupper (not one of the Fathers of Confederation, but a relative of that esteemed gentleman). I was, needless to say, in awe of my adversary, whose reputation for courtroom brilliance was well-known to me. Just looking at him, you knew he was **Sir Charles Tupper.** Well over six feet tall and of regal bearing, he was every inch the aristocrat and no doubt deserving of his knighthood: one of the last awarded in Canada before the practice was abolished. Identifying him

was made even easier because he also wore a T-shirt under his lawyer's gown with the words "Sir Charles Tupper" emblazened thereon.

Fortuitously, I was successful in my quest for commutation and upon judgement being rendered, Sir Charles removed and presented me with his T-shirt in recognition of my brilliant maiden performance. It is this revered T-shirt that I have, for many years, exhibited to my classes in Civil Procedure. Replicas are awarded annually to the student or students of Civil Procedure who most closely emulate the legal attributes which were exemplified by Sir Charles.

M.R. Gorsky



L1

L2

L2

L1

A Russian!

In our Midst?

L2

L1

FLEMING

ON

~~TORTS~~ sax

'G'
FORCE

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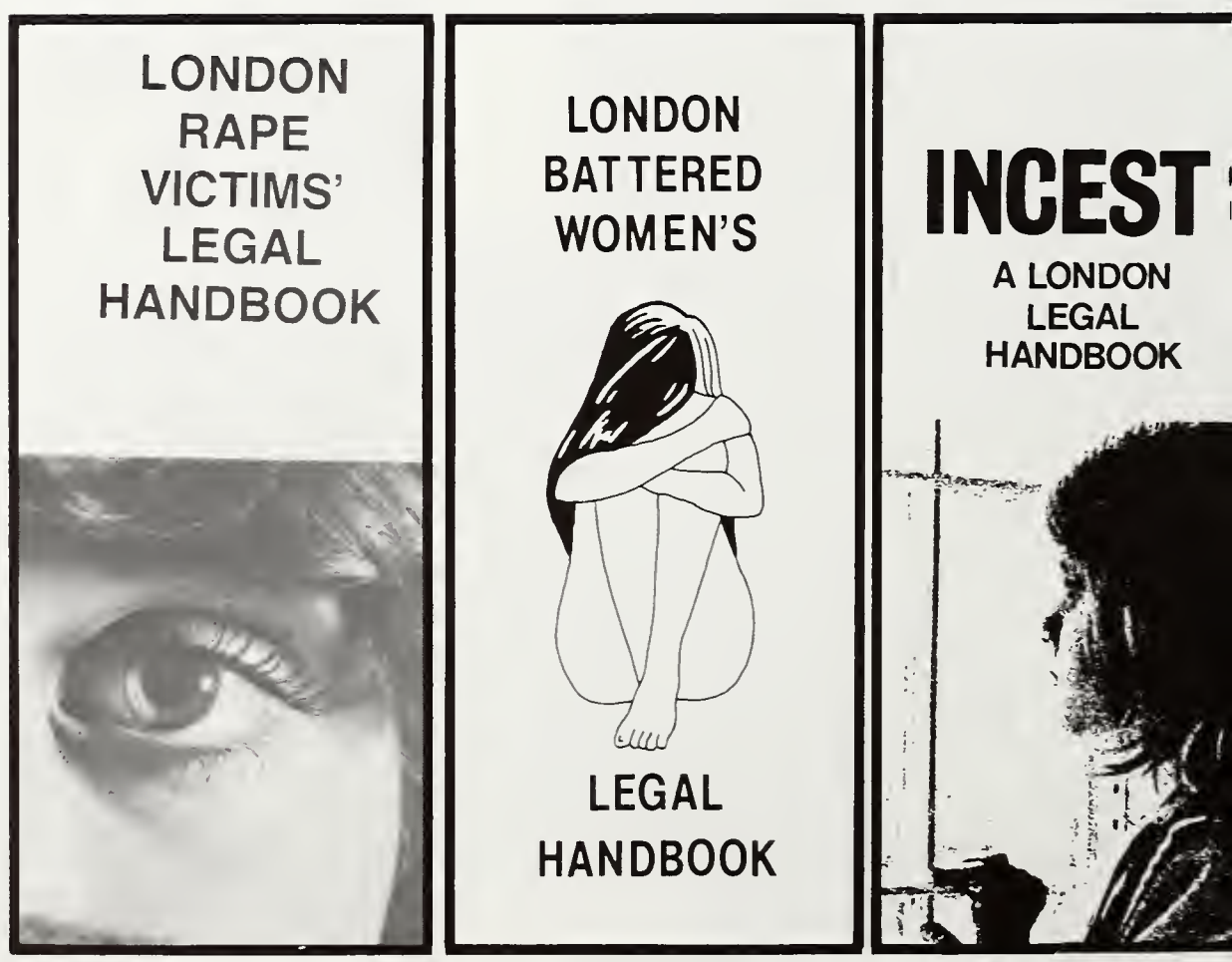
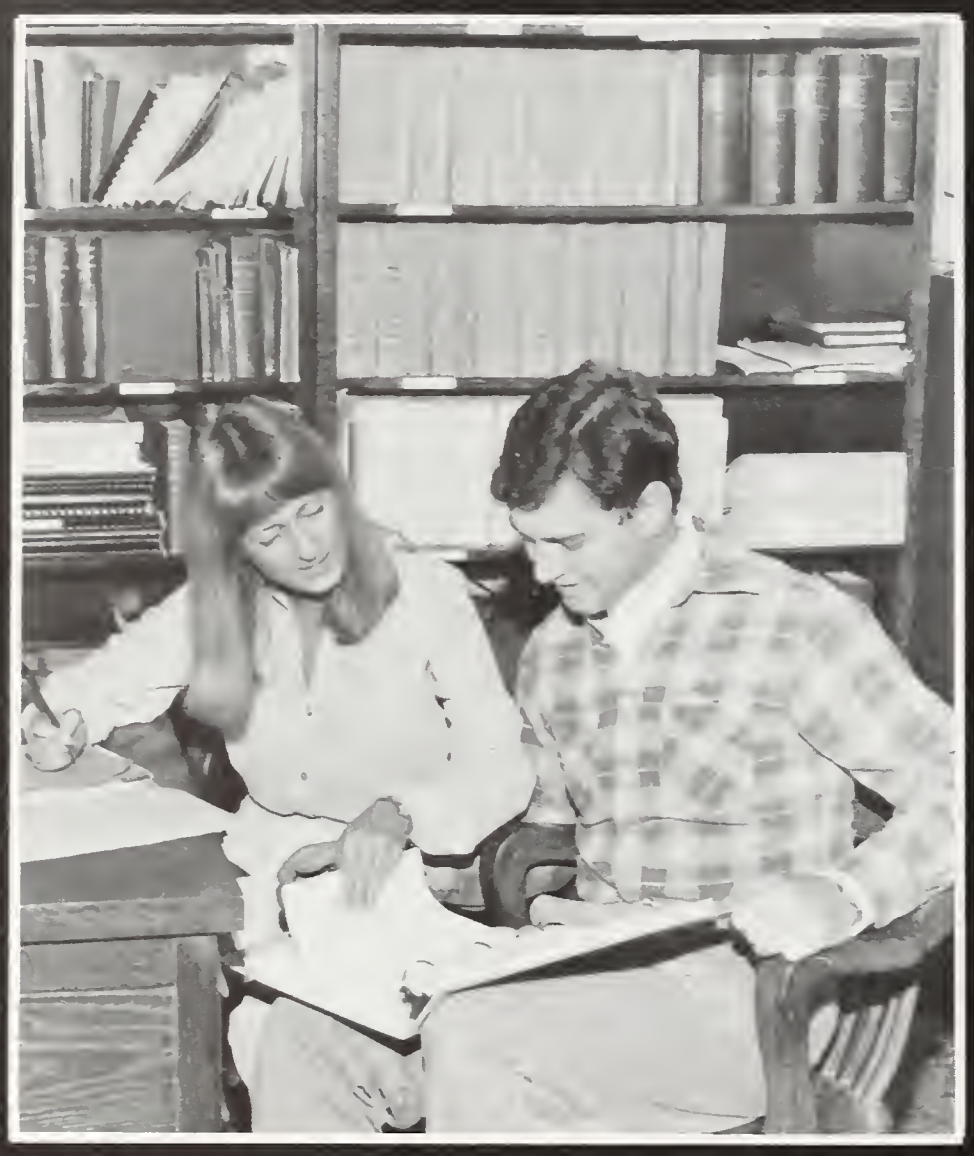
L1



Booklets Written by Various Groups
of Prof. Constance Backhouse's Students



Directors, 1981-82

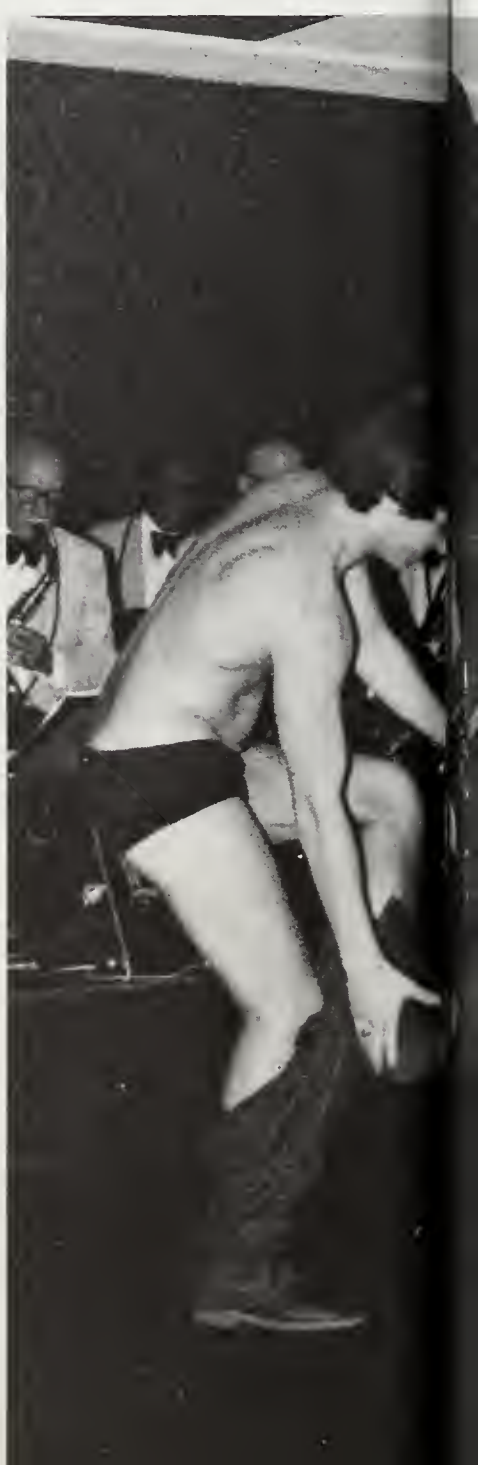
Legal Aid

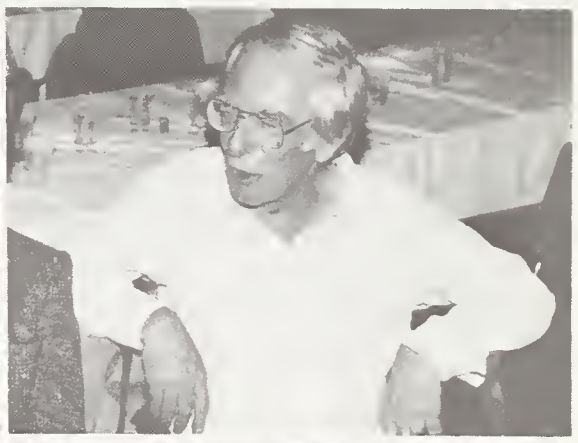
& Consumer Complaint Bureau

LAW BALL

"And then, we charged thru the hail of bullets, and . . . and . . ."

3



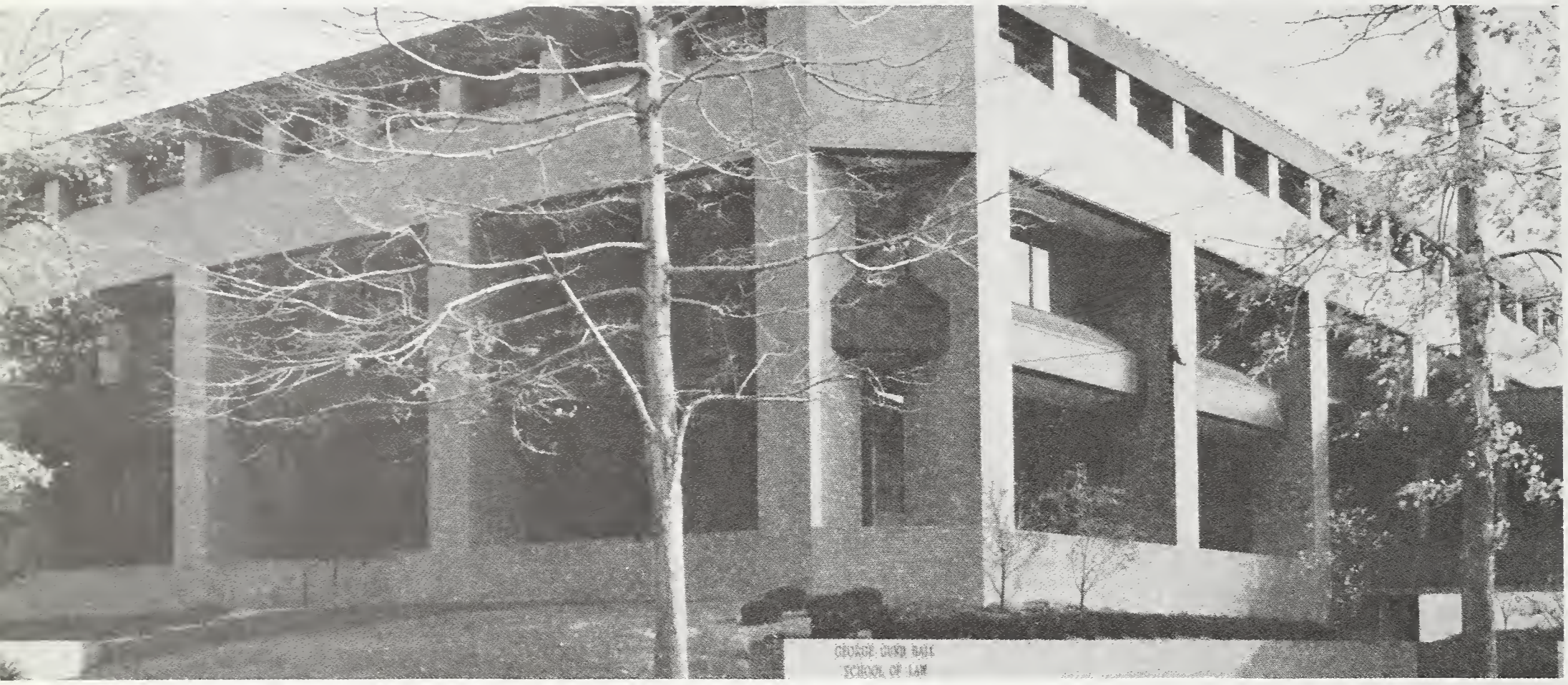


"H . . . mmm . . ."

"Not too close, Clive . . . please."

"Be careful, now . . .
mind the crease . . ."

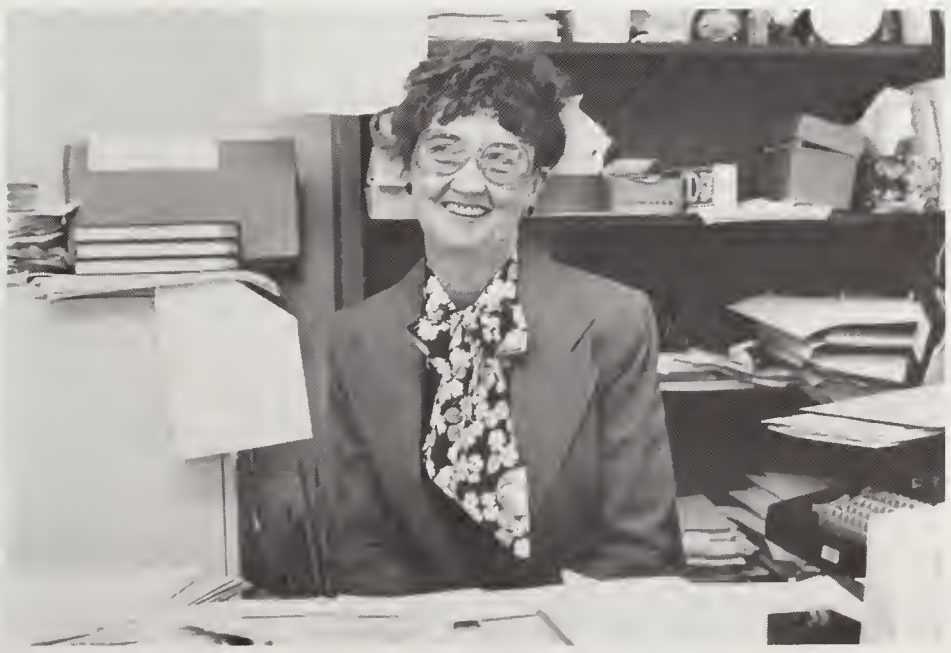
School of Law, Case Western
Reserve University, Cleveland, Ohio



Exchange students from Cleveland.

The Canada-U.S. Law Institute is a bi-national joint venture established in 1976 by the Faculty of Law at The University of Western Ontario, London, Ontario and the School of Law at Case Western Reserve University, Cleveland, Ohio. The Institute is bi-nationally financed, operated and administered for the equal benefit of the two law schools.

Law Review



THE UNIVERSITY OF WESTERN ONTARIO
LAW REVIEW

ARTICLES

Unsolicited Benefits
Jerome E. Bickenbach

"Th' attempt, and not the deed, Confound us": Section 24 and Impossible Attempts
Barry Brown

The Protection of the Reliance Interest and Anticipated Contracts Which Fail to Materialize
Geoffrey F. Cauchi

COMMENTS

A Shareholder's Action in Tort: The Difficulty in Assessing Damages
Patricia Balfour

Regina v. *O'Connor: Mens Rea* Survives in Australia
David H. Doherty

Natural Price Fixing and Anti-Combines Law: *Atlantic Sugar Refineries Co.* v. *The Attorney General of Canada*
Chester Mitchell

REVIEW ESSAY

Legal Identity: From Maine and Durkheim to Graveson, Tribe and Vining: An Essay on "Legal Identity: The Coming of Age of Public Law," by Joseph Vining
G. Blaine Baker

BOOK REVIEWS

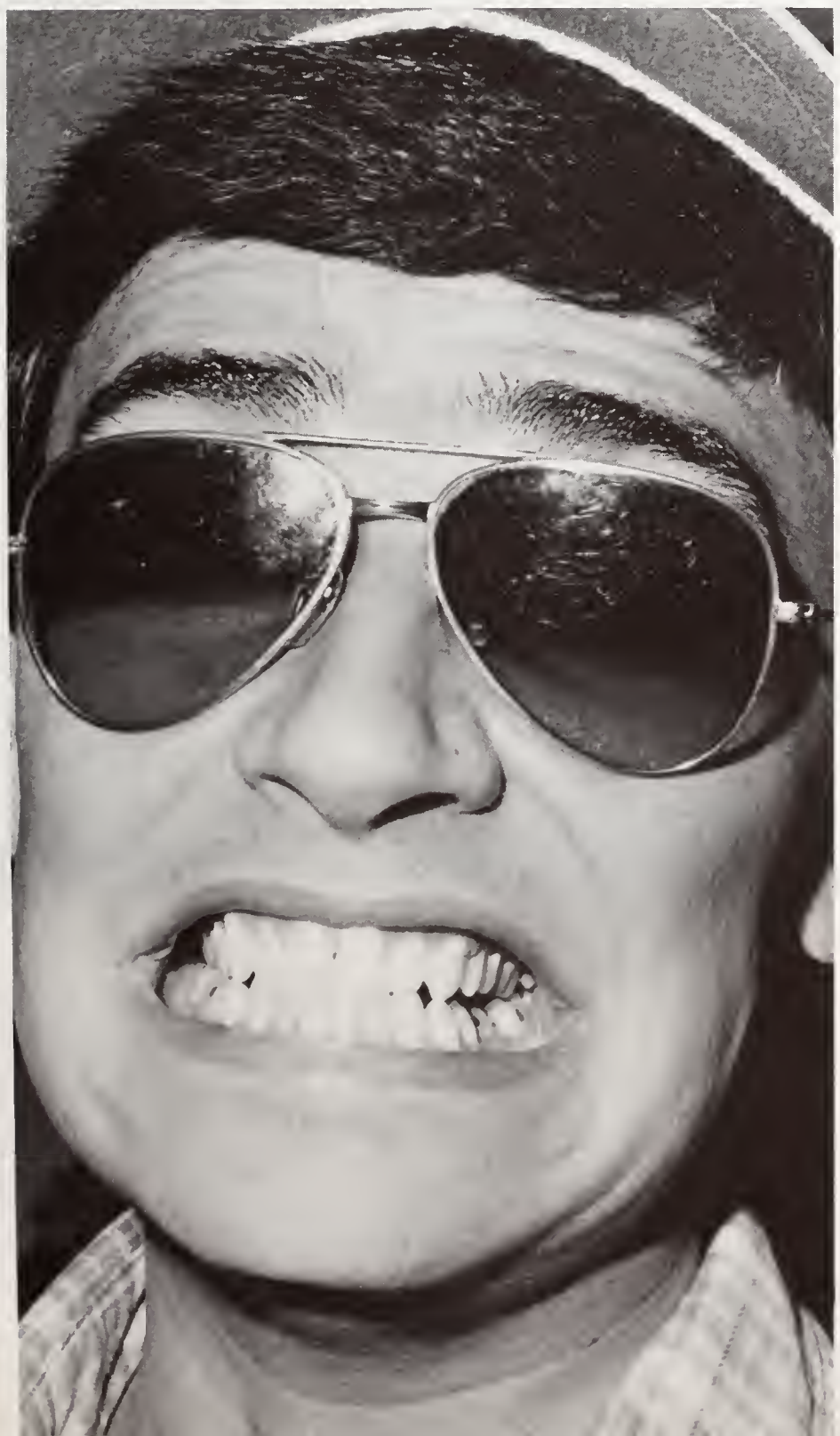
Volume 19, Number 2 1981

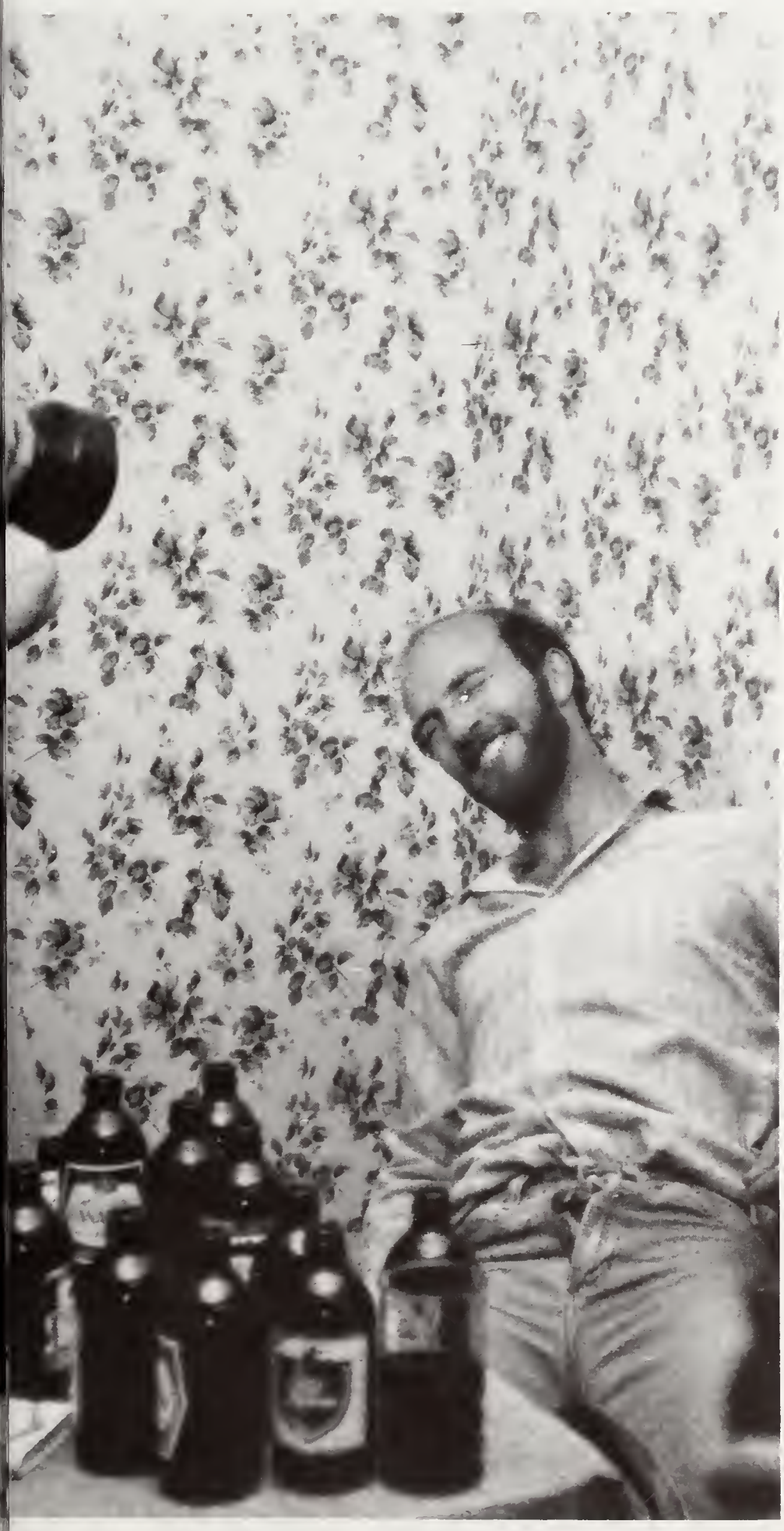
T.G. Youdan, Faculty Editor-in-Chief
B. Hovius, Faculty Associate Editor
M.B. Taggart, Book Review Editor
Chester Mitchell, Student Editor-in-Chief
Tapishar Singh, Business Manager

Patricia Balfour, Student Associate Editor
Michael Coyle, Student Associate Editor
Susan Jackson, Student Associate Editor
Kim Kerr, Student Associate Editor
Greg Vitali, Student Associate Editor

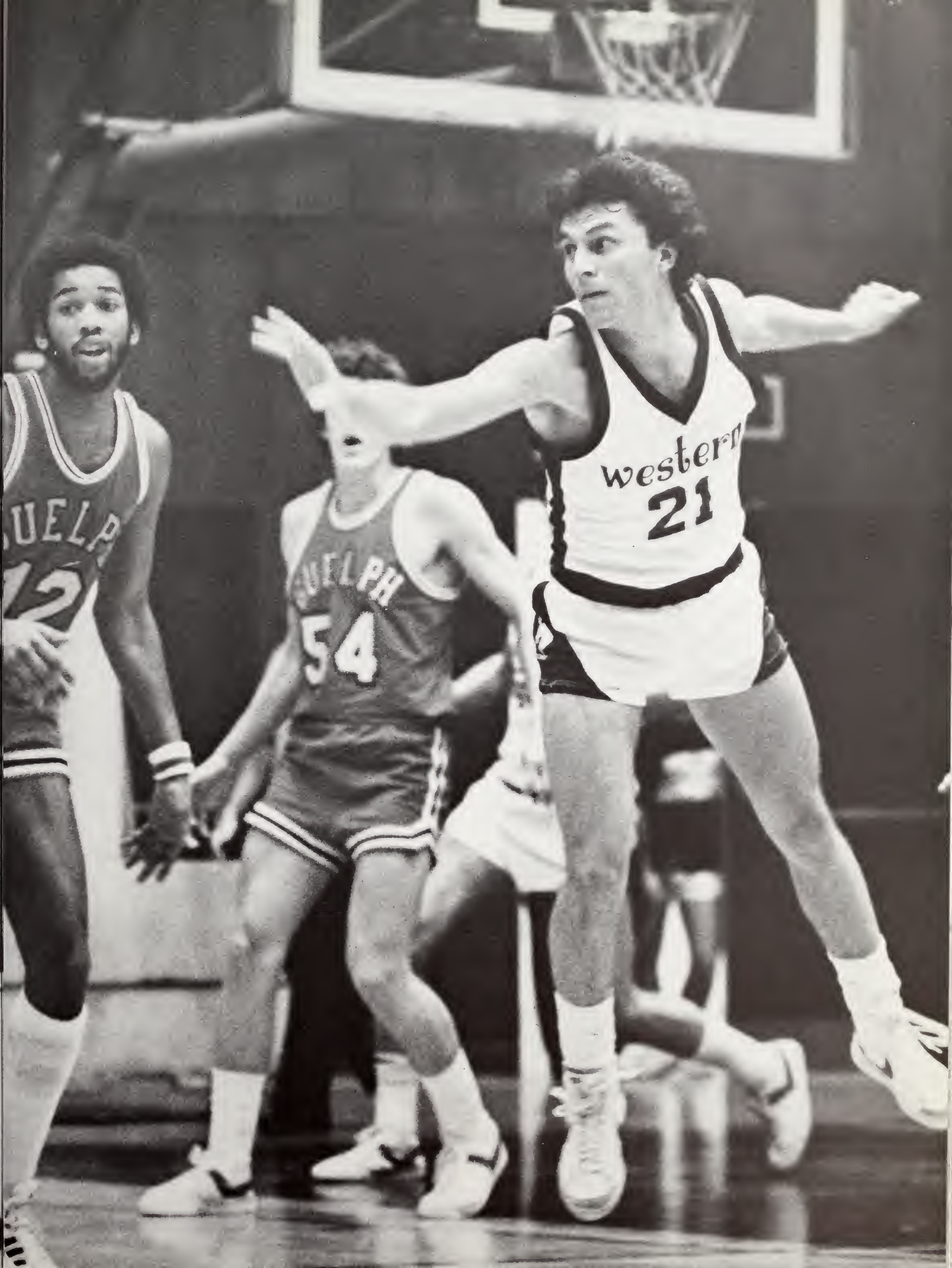
Kathleen Adair, Administrative Assistant

Third Year Party





SPORTS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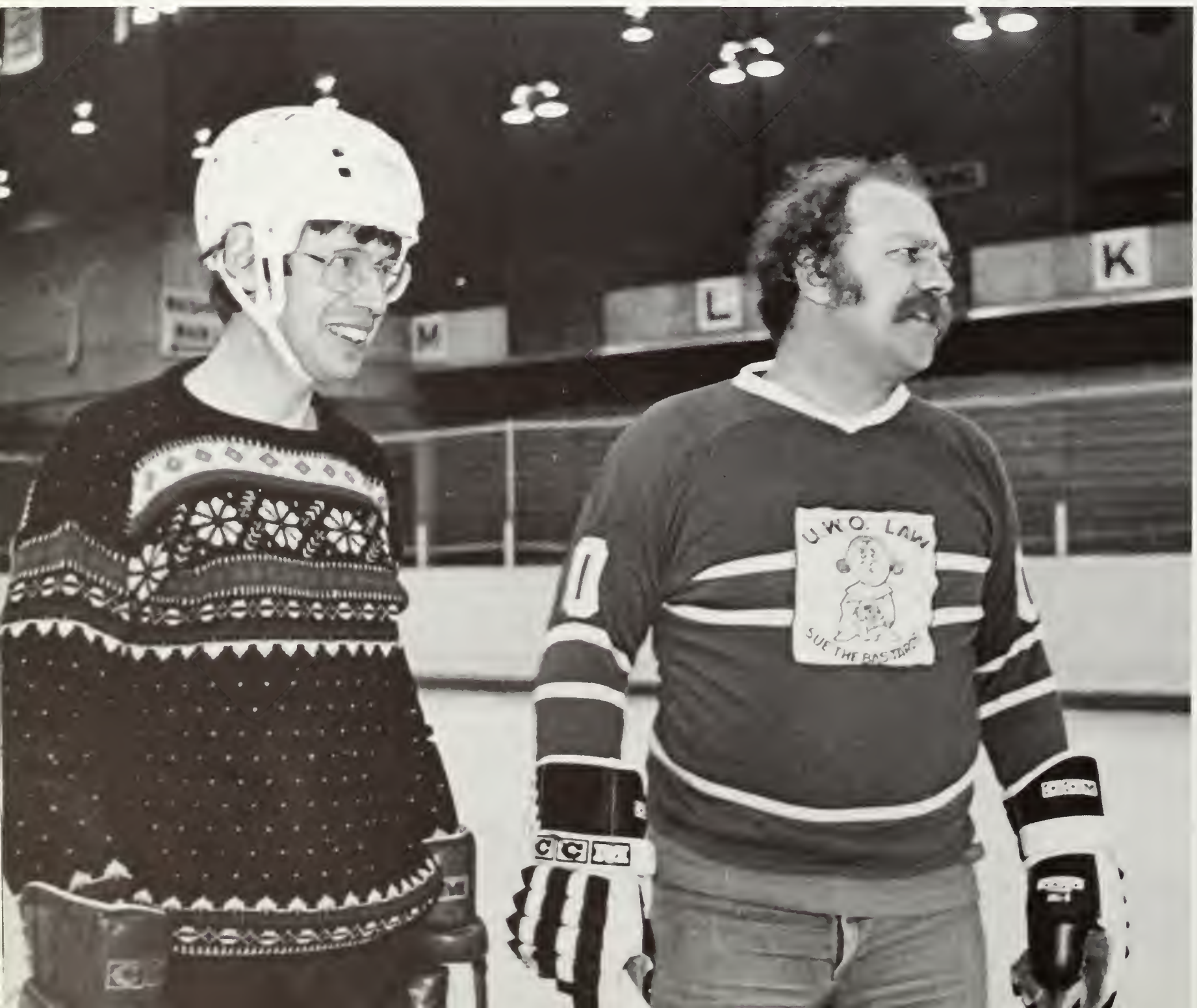

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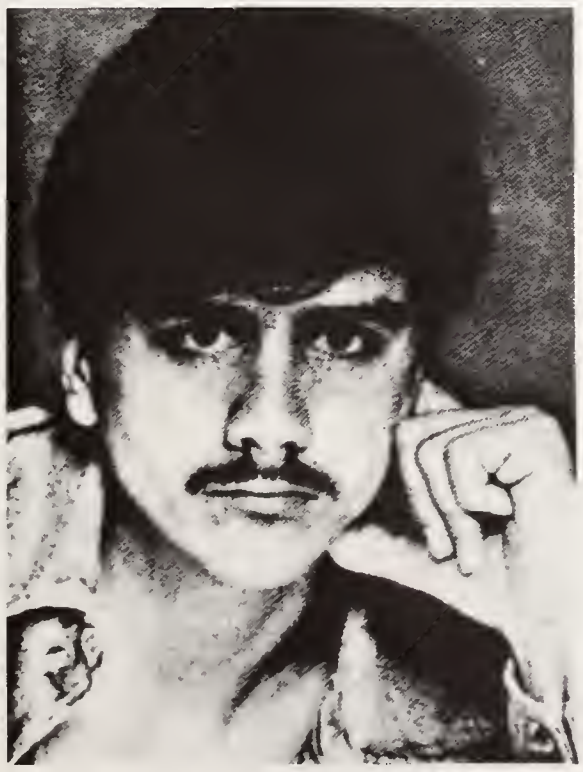

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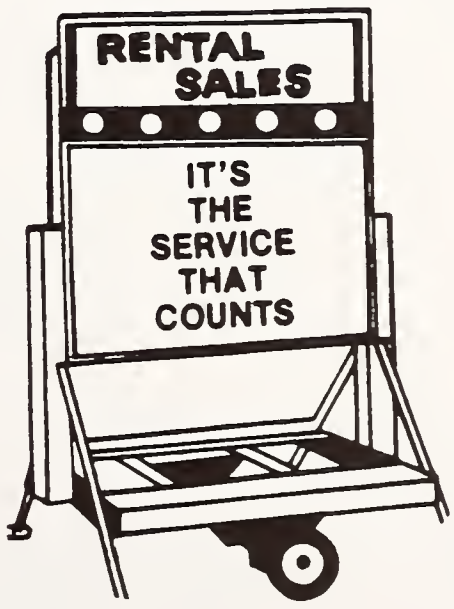

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IN MEMORY

On Friday, July 2, 1982, Steve Watchorn was killed in a motorcycle accident.

Steve entered the LL.B. Programme at Western in September, 1980. In addition to his studies, during his first year at Western's Law School, Steve served as a student representative on the Law School Faculty Council, and was actively invc ved in organizing many of the social events in school.

After completing his first year of law studies, Steve enrolled in the joint LL.B./M.B.A. Programme. Though he did not attend classes at the Law School last year, Steve was often present at many of the Law School functions and participated in the voluntary second and third year mooting competitions.

Steve will be remembered particularly for his cheerful disposition and outgoing personality. We will miss him.

Res Gestae. Things done. "Words spoken, thoughts expressed, and gestures made - all so closely connected to the occurrence or event in both time and substance as to be a part of the happening."

This yearbook is clear evidence that all those things really did happen to us: Springing and shifting Uses. The coffee concession. Greg Rodgers. S. 29 of the Planning Act. Murray Tipplethorpe.

Years from now, when you're knee-deep in real Errors in Substantialibus, fundamental breaches, rollovers and, ah yes, money - not loans, not grants, but real money; and when you're besieged by a string of clients all of whom want to plead automatism (Dan Dooley: "I HATE MY CLIENTS!"); when your memory fails and you won't believe that you really spent all those fun-hours at Spencer-Niblett, this book will then surely come handy.

Our thanks, therefore, to all the students, faculty and staff for the unanimous support that they have offered in the preparation of this book. It's been fun putting it together, and has been so only because of everybody's incredible enthusiasm over it. Input ranging from the initial, indispensable encouragement received from Dean Slayton and the Legal Society, to the uninvited but nevertheless piercing comments of people nosing through the mess of photographs in Room 204 — all have proved invaluable. If you enjoy this book, it's because of the total participation of the Law School. If you don't — believe me, I had nothing to do with it.

Sher

T. Sher Singh
Editor

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